

Central Administrative Tribunal  
Jaipur Bench, JAIPUR

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ORDERS OF THE BENCH

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14<sup>th</sup> July, 2009

OA 244/2009

Due to the strike called by the Advocates regarding imposing of  
Service Tax on the advocates, the case is adjourned to 16.7.2009.



(M. L. Chauhan)  
Member (Judicial)

11.11

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16-7-09

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Mr. C. B. Sharma - Counsel for applicant  
Mr. M. S. Raghav, proxy counsel for  
Mr. Sanjay Pareek, Counsel for respondents

Heard the learned counsel for  
the parties.

For the reasons dictated separately,  
the OA stands disposed of.



(M. L. Chauhan)  
Judl. Member

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH

**OA No.244/2009**

This the 16<sup>th</sup> day of July, 2009

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER

Omendra Prasad Kala,  
s/o Shri Mangal Prasad Kala,  
r/o Q.No.118, Nirman Vihar-I,  
CPWD Colony, Sector-2,  
Vidyadhar Nagar, Jaipur and  
presently working as Senior Auditor,  
Office of Principal Controller  
Of Defence Accounts  
(South Western Command),  
Khatipura Road, Jaipur.

.. Applicant

(By Advocate: Mr. C.B.Sharma)

Versus

1. Union of India  
through its Secretary to the  
Government of India,  
Department of Defence,  
Ministry of Defence (Finance),  
South Block,  
New Delhi
2. Controller General of Defence Accounts,  
West Block-V, R.K.Puram,  
New Delhi.
3. Principal Controller of Defence Accounts  
(Southern Western Command),  
Khatipura Road,  
Jaipur.

.. Respondents

(By Advocate: Mr M.S.Raghav, proxy counsel for Mr.  
Sanjay Pareek)

O R D E R (ORAL)

The applicant has filed this OA challenging the order dated 26.05.2009 (Ann.A/1) whereby the applicant has been transferred from Main Office, Jaipur to AAOGE (P) Abohar, Punjab and further order dated 3.6.2009 by which the applicant was relieved of his duties w.e.f. 3.6.2009 (AN).

2. The grievance of the applicant in this OA is that the said transfer has been made in order to adjust one Shri Manoj Kumar Mahto and also that he has not completed the normal tenure of four years but has completed only 2 ½ years at Jaipur.

3. Notice of this application was given to the respondents. In para 22 of the reply affidavit the respondents have stated that the applicant may be advised either to join office in Abohar or forgo the sensitive assignment so that any other suitable substitute may be posted in his place at Abohar.

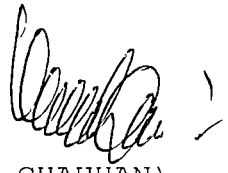
4. The learned counsel for the applicant submits that the applicant is willing to forgo the sensitive assignment given to him and for that purpose he will approach the appropriate authority within three days by making written request in this behalf.

5. In view of what has been stated above, the present OA is disposed of with direction to the

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respondents to pass appropriate order on the written request of the applicant to forgo his sensitive assignment within seven days from the date of receipt of such request.

6. With these observations, the OA stands disposed of with no order as to costs.



(M.L. CHAUHAN)  
Judl. Member

R/