

Central Administrative Tribunal
Jaipur Bench, JAIPUR

OA.263/2010

This the 24th day of May, 2010

Hon'ble Shri M.L. Chauhan, Member (Judicial)
Hon'ble Shri B.L. Khatri, Member (Administrative)

D.L.Verma S/o Shri Ram Lal ji Verma, aged about 56 years, resident of C/o Modu Lal Verma, Near Water Tank, Vikas Nagar, Bundi and presently working as Sub Divisional Engineer, Telecom District Bundi.

...Applicant

(By Advocate: Shri C.B.Sharma)

- VERSUS -

1. Bharat Sanchar Nigam Limited through its Chairman and Managing Director, Corporate Office Stateman's House, Barakhambha Road, New Delhi.
2. Union of India through its Secretary, Department of Telecom, Ministry of Communication & Information Technology, Sanchar Bhawan, New Delhi-110001.
3. Chief General Manager, Telecom, Rajasthan Circle, Sardar Patel Road, Jaipur.
4. Assistant General Manager, (Pers-II), Corporate Office, Personnel -II Section, Bharat Sanchar Bhawan, 4th Floor, Jan Path, New Delhi-110001.

.....Respondents

ORDER (ORAL)

In this case, grievance of the applicant is regarding transfer order as issued/passed by the respondent No.1 on 23.4.2010 (Annexure A-1) whereby the applicant as well as other persons have been transferred. The transfer order has been challenged by the applicant on the ground that interms

of the transfer policy which has been placed on record as Annexure A-2, the service tenure of 18 years has been prescribed for employees to be eligible for transfer as per para 11 Section- B and as per para 13 (iii) generally, transfer of employees who are more than 55 years of age as on 31st March of that particular financial years would be avoided for posting to tenture station and employees of 56 years or more (as on 31st March of particular on financial year) should normally be exempted from transfer involving change of Station.

2. According to the counsel for applicant, the applicant has already attained the age of 55 years and will attain 56 years of age on July, 2010 and also that circle tenure of the applicant is also less then 18 years. From the perusal of the material placed on record, it is evident that the applicant has also made representation to the C.M.D. Coporate Office i.e. respondent No.1 (Annexure A-4), thereby highlighting his grievances.

3. We have heard learned counsel for applicant at admission stage. Learned counsel for applicant submits that the applicant has not been relieved so far.


4. In view of the fact that the representation of the applicant, dated 28.4.2010 is pending before the respondent

No.1, we are of the view that present OA can be disposed of at admission stage with a direction to the respondent No.1 to decide the representation of the applicant dated 28.4.2010 Annexure A-4 by passing speaking and reasoned order. Ordered accordingly. Till the representation of the applicant is not decided, the respondents are directed to maintain status-quo qua the applicant. Needless to add that if the applicant is still aggrieved by the order to be passed by the respondent No.1, it will be permissible for the applicant to approach this Tribunal for redressal of his grievance in accordance with law.

5. With these observations made, the OA shall stand disposed of.


(B.L. Khatri)
Member (Administrative)

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(M.L. Chauhan)
Member (Judicial)