

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

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ORDER SHEET

ORDERS OF THE TRIBUNAL

24.01.2012

OA No. 298/2011

Applicant present in person.  
None present for the respondents.

Reply not filed R-1

UP

The respondents have not filed the reply.

Put up on 09.02.2012. In the meantime, the respondents may file their reply.

*K. S. Rathore*

(Justice K.S. Rathore)  
Member (J)

ahq

OA No. 298/2011  
09-02-2012

Mr. Neeraj Batra, Counsel for applicant  
Mrs. Anurag Aggarwal, Counsel for respondent

Heard.

O.A. is disposed of by a  
separate order on the separate sheet  
for the reasons recorded therein.

*K. S. Rathore*  
(Justice K.S. Rathore)  
Member (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH

Jaipur, this the 9<sup>th</sup> day of February, 2012

Original Application No.298/2011

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)

Ravi Kumar Sharma  
s/o late Shri Krishan Sharma,  
r/o 1045, Barkat Nagar,  
Tonk Phatak, Jaipur,  
Presently working as Massenger,  
National Horticulture Board,  
5, Vijaylaxmi, Mahila Second Floor,  
Sahkar Bhawan Road,  
Jaipur

.. Applicant

(By Advocate: Shri Neeraj Batra)

Versus

1. The Union of India,  
National Horticulture Board,  
Through its Managing Director,  
Ministry of Agriculture,  
Government of India,  
Plot No.18, Institutional Area,  
Gurgaon-122015 (Haryana)
2. Deputy Director (Personnel),  
National Horticulture Board,  
Through its Managing Director,  
Ministry of Agriculture,  
Government of India,  
Plot No.18, Institutional Area,  
Gurgaon-122 015 (Haryana).

.. Respondents

(By Advocate: Shri Anurag Agarwal)

ORDER (ORAL)

The present OA is directed against the impugned order dated 7.7.2011 (Ann.A/1) whereby the applicant was transferred from NHB, Jaipur Centre to NHB, Guwahati Centre with immediate effect.

2. On 19.7.2011 when the case was listed for admission, while issuing notices, the respondents were directed not to relieve the applicant pursuant to the transfer order dated 7.7.2011 (Ann.A/1), if he has not been relieved so far.

3. The respondents have filed their reply and it is submitted that the applicant has been relieved pursuant to transfer order dated 7.7.2011 prior to 19.7.2011, the date on which the interim order has been passed.

4. The learned counsel appearing for the applicant submits that applicant being a low paid employee be allowed to continue at NHB, Jaipur Centre and the respondents may be directed to reconsider the case of transfer of the applicant.



5. In view of the submissions made on behalf of the applicant, I deem it proper to advise the applicant to represent before the respondents stating the facts and grounds taken in this OA and upon receipt of such representation, the respondents are directed to consider his representation and pass fresh transfer order either to allow him to work at NHB, Jaipur Centre or to some nearby place looking to the hardship of the applicant. It is expected from the respondents to pass appropriate order expeditiously, but in any case, not later than one month from the date of receipt of the representation to be filed by the applicant. However, it is made clear that if any prejudicial order is passed against the interest of the applicant, the applicant is at liberty to file a substantive OA.

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

  
(JUSTICE K.S.RATHORE)  
Judl. Member

R/