

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 27.02.2012

OA No. 131/2012

Mr. P.N. Jatti, counsel for applicant.

Heard learned counsel for the applicant.

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

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 131/2012

DATE OF ORDER: 27.02.2012

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Beni Prasad Tinker S/o Shri Ratan Lal Tinker, by caste Tinker, aged about 39 years, R/o H.No. 1692, Thatheron Ka Rasta, SMS High Way, Jaipur, presently working as UDC in the O/o Survey of India, RGDC (Rajasthan Geo Spatial Data Centre) Great ARC Bhawan, Sector-10, Vidhya Dhar Nagar, Jaipur – 302023.

...Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Department of Survey of India, Ministry of Science and Technology, New Mehroli Road, New Delhi.
2. The Surveyor General of India, Survey of India, Dehradun (Uttarakhand), India.
3. The Additional Surveyor General Western Zone, Sector – 10, Vidhya Dhar Nagar, Jaipur – 302023.
4. Director, RGDC (Rajasthan Geo Spatial Data Centre) Survey of India, Great ARC Bhawan, Sector – 10, Vidhya Dhar Nagar, Jaipur – 302023.
5. Shree K.R. Meena, Additional Surveyor General, Western Zone, Jaipur (Rajasthan).

...Respondents

ORDER (ORAL)

By way of filing the present Original Application, the applicant has prayed for quashing and setting aside the impugned transfer order dated 24.01.2012 (Annex. A/1), qua the applicant, issued by the Office of the Surveyor General of India, Dehradun (Uttarakhand), by which the applicant has been transferred from the office of Rajasthan GDC, Jaipur to the office of Gujarat, Daman & Diu GDC, Gandhi Nagar.

2. Against the said transfer order dated 24.01.2012, the applicant has also submitted a representation dated 30.01.2012



(Annex. A/5) before the respondent no. 2 requesting therein to consider his representation sympathetically and to cancel his transfer order.

3. Upon careful perusal of the pleadings as well as documents, it is evident that the said representation dated 30.01.2012 (Annex. A/5) is still pending consideration before the respondents, which is also not disputed by the learned counsel appearing for the applicant.

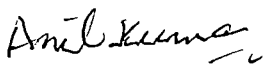
4. Having considered the aspect that the said representation dated 30.01.2012 (Annex. A/5) is still pending consideration before the respondents, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the same by passing a reasoned and speaking order.

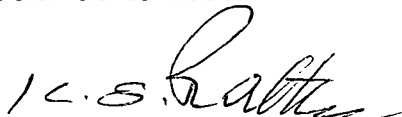
5. Consequently, the respondents are directed to consider and decide the representation dated 30.01.2012 (Annex. A/5) filed by the applicant and pass a reasoned and speaking order and communicate the decision so taken on the representation to the applicant expeditiously but in any case not later than a period of fifteen days from the date of receipt of a copy of this order. If pursuant to the transfer order dated 24.01.2012 (Annex. A/1) the applicant has not been relieved so far, he may not be relieved till the disposal of the said representation. If he has already been relieved, his representation may be considered sympathetically.



6. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application.

7. With these observations and directions, the Original Application stands disposed of with no order as to costs.


(ANIL KUMAR)
MEMBER (A)


(JUSTICE K.S. RATHORE)
MEMBER (J)

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