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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 24.05.2012

OA No. 366/2012

Mr. Ved Prakash, 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.


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

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 366/2012

DATE OF ORDER: 24.05.2012

CORAM

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

Rohit Jivabhai Valabhai S/o Shri Valabhai Dhurabhai, aged 52 years, permanent R/o S-47, Indira Nagar, Vasahat Part-5, Hudko, Village Kathavada Tai Daskooi, District Ahmedabad (Gujrat), presently working as Driver (Civil GT) in 706, Transport Company (ASC Civil GT), Jaipur and residing at 10/27, Premapura, Queens Road, Near Jharkhand Mahadev Mandir, Vaishali Nagar, Jaipur.

...Applicant

Mr. Ved Prakash, counsel for applicant.

VERSUS

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi – 110011.
2. Commanding Officer, 706, Transport Company (ASC Civil GT), Jaipur.

...Respondents

ORDER (ORAL)

By way of filing the present Original Application, the applicant is challenging the verbal transfer order as informed by the respondent no. 2 directing the applicant to move to 652, ASC Company, IMTRAT on 01st June, 2012 and further told that he will issue movement order in the evening of 31.05.2012.

2. As the written transfer order has not been issued by the respondents, thus, apprehending by the verbal transfer order, the applicant has filed this OA and it appears that formal transfer order is to be issued by the respondents in near future.

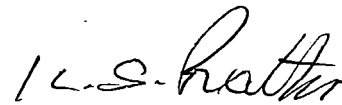


3. Be that as it may, having gone through the averments made in the OA and having considered the submissions made on behalf of the applicant, I am of the view that the liberty may be given to the applicant to represent before the respondents or the respondents may consider this OA as representation and decide the same strictly in accordance with the provision of law.

4. In view of the above, the applicant is given liberty either to file representation or submit a copy of this O.A. before the respondents within a period of three days from today, and the respondents are directed to consider and decide the same and shall pass a reasoned and speaking order strictly in accordance with the provision of law expeditiously but in any case not beyond the period of one month from the date of receipt of representation/copy of the OA along with this order, and till the disposal of the representation, the applicant may not be transferred from the place of his present posting i.e. from 706, Transport Company (ASC Civil GT), Jaipur.

5. 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.

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


(JUSTICE K.S. RATHORE)
JUDICIAL MEMBER