

## CENTRAL ADMINISTRATIVE TRIBUNAL,

CHANDIGARH BENCH

O.A. No.060/01030/2014

Decided on: 05.03.2015

CORAM: **HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &**  
**HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)**

H.S. Bhatia, aged 52 years S/o Late Sh. Saminder Singh Bhatia, presently posted as Joint General Manager, Ordnance Cable Factory, 183, Industrial Area, Chandigarh, resident of House No. 324, Phase IV, Mohali.

Versus

Applicant

1. Union of India through Secretary to Govt. of India, Ministry of Defence, New Delhi.
2. Ordnance Factory Board, 10-A, Shaheed Khudiram Bokse Road, Kolkata-70001, through its Chairman
3. Director General-cum-Chairman, Ordnance Factory Board, 10-A, Shaheed Khudiram Bose Road, Kolkata-700001.
4. General Manager, Ordnance Cable Factory, 183, Industrial Area, Phase-I, Chandigarh-160002.

Respondents

Present: Mr. R.K. Sharma, Advocate, counsel for the applicant.  
Mr. Deepak Agnihotri, Advocate, counsel for respondents.

**O R D E R (oral)**  
**HON'BLE MR. SANJEEV KAUSHIK , MEMBER (J)**

In this Original Application under section 19 of the Administrative Tribunals Act, 1985, the applicant seeks quashing of the order dated 13.6.2014 vide which the applicant has been transferred from OCF, Chandigarh to OFP, Nalanda (Bihar) and orders dated 11.7.2014, 14.8.2014 12.11.2014 vide which representations of the applicant have been rejected and for issuance of direction to the respondents to allow the applicant to continue at his present place of posting till completion of his tenure in terms of the Transfer policy.

2. Learned counsel for the applicant stated that according to him the case of the applicant for transfer was required to be placed before the Staff Posting Committee, which was not done and the applicant was transferred out without considering his personal problems. He, however, prays that let the applicant submit a fresh representation to the Department for re-consideration and direction be issued to competent authority to take a fresh view without being influenced by the orders already passed against the applicant.

3. Learned counsel for the respondents does not have any objection to the disposal of the O.A. in the requested manner.

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4. In view thereof, this O.A. is disposed of with the observation that if the applicant prefers a fresh representation to the authorities within two weeks from the date of receipt of a certified copy of this order, the competent authority amongst the respondents may consider the same in accordance with rules and procedure applicable to the transfer matter within one month from the date of such submission and take an independent opinion without being influenced by the decisions already taken on the claim of the applicant. In case the applicant submits application for grant of leave till such decision is taken, the respondents are directed to consider the same as per rules and law.

5. O.A. stands disposed of accordingly. No costs.

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**(UDAY KUMAR VARMA)**  
**MEMBER (A)**

Place: Chandigarh  
Dated: 05.03.2015

HC\*