

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00894/2014

Decided on: 08.10.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Nimish Sharma son of Shri Om Parkash Sharma, aged 27 years, Junior Telecom Officer, working as Junior Telecom Officer (I/D), Nawanshahr, Punjab.

.....Applicant

Versus

1. Union of India through the Secretary, Ministry of communications & Information Technology, Department of Telecom Sanchar Bhawan, 20, Ashoka Road, New Delhi.
2. The Chief General Manager Telecom (D), Punjab Telecom Circle, Chandigarh.
3. The General Manager, Telecom BSNL, Jalandhar.
4. Sub Divisional Engineer Phones (I/D), Nawanshahr-144514.

.....Respondents

Present: Mr. V.K. Sharma, counsel for the applicant

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. The present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to consider his application dated 10.02.2014(Annexure A-1) for his transfer to Jaipur.

2. In support of the claim, learned counsel for the applicant submits that before approaching this Tribunal, the applicant submitted a request dated 10.02.2014(Annexure A-1) for his inter-circle transfer from Punjab Circle to Rajasthan Circle in terms of the relevant transfer Rules and Guiding Principles, particularly clause 6(g) thereof, which provides that the request for posting of husband and wife at the same station shall be considered if the employee's spouse is serving in Central/State Government or a Public Sector Undertaking(PSU). He further submits that the case of the applicant is squarely covered by the aforesaid clause.
3. In view of the limited prayer made in the O.A., there is no need to issue notice to the respondents and call for their reply as the respondents have not yet taken a view on the representation (Annexure A-1) served by the applicant which they are bound to do within six months as per the Section 20 of the Administrative Tribunals Act, 1985 and, therefore, non-issuance of notice would not cause any prejudice to them.
4. Accordingly, we dispose of this O.A., with a direction to Respondent No. 2 to consider the claim of the applicant and take a view on his representation (Annexure A-1) in accordance with law and relevant rules and guidelines on the subject, by passing a reasoned and speaking order within a period of two months from

the date of receipt of a copy of the order. A copy of the order so passed shall be communicated to the applicant.

5. Needless to say that we have not expressed our opinion on the merits of the case and the respondents can take an independent view on the representation of the applicant.

6. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 08.10.2014

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