

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00983/2014 Decided on: 05.11.2014

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

Ex- JC 347408H Daljit Singh son of Shri Shish Pal Singh, age 55 years, working as LDC, office of CWE Hisar.

**.....Applicant
Versus**

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi.
2. Engineer in Chief, Military Engineer Services, Engineer-in-Chief's Branch, Integrated Headquarters of MoD (Army), Kashmir House, DHQ, PO New Delhi.
3. Headquarters, Chief Engineer, South Western Command, c/o 56 APO.
4. Commander Works Engineer Hissar (Haryana).

.....Respondents

Present: Mr. D.R. Sharma, counsel for the applicant

Order (Oral)

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

1. The present O.A. is directed against the impugned order dated 28.10.2014 whereby the applicant has been transferred from CWE Hissar to GE(P) Suratgarh, a tenure station.

2. Learned counsel for the applicant submits that the impugned order (Annexure A-1) is in contravention of the respondents' own transfer policy, particularly paras 21(g) and 56 thereof. He submits that the applicant had approached the respondents department by filing a representation dated 01.11.2014 (Annexure A-4) for redressal of his grievance while pointing out the aforesaid contravention to the relevant guidelines, which is pending consideration with the respondents as no outcome thereof has been communicated to the applicant till date.

3. Learned counsel for the applicant submits that the applicant would be satisfied, if the OA is disposed of with a direction to the respondents to consider his representation (Annexure A-4) in accordance with the transfer guidelines and take a view thereon within a time-bound manner. He further prays that till such time the impugned transfer may be stayed.

4. Considering the statement made by the learned counsel for the applicant and the fact that no view, whatsoever, has yet been taken by the respondents, we disposed of the O.A., with a direction to the respondents to consider the representation (Annexure A-4) within 15 days from the date of receipt of a certified copy of the order. The impugned transfer order shall be kept in abeyance qua the applicant herein, if he has already not been relieved of, till the disposal of his representation.

5. Needless to say that we have not expressed any opinion on the merits of the case and the respondents are free to take an independent decision in the matter in accordance with the relevant transfer guidelines.

6. Disposed of. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 05.11.2014

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