

Reserved

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD**

Dated: This the 16<sup>th</sup> day of February 2018.

PRESENT:

**HON'BLE DR. MURTAZA ALI, MEMBER – J**

**Original Application No.1194 of 2011  
(U/s 19, Administrative Tribunals Act, 1985)**

P.L. Meena aged about 49 years, son of Shri Nanu Ram Meena, working as Asstt. Labour Welfare Commissioner (Central) in Ordnance Factory, Kalpi Road, Kanpur R/o DT-45, Armapur Estate Kanpur.

.....Applicant

By Adv: Shri R.K Shukla/Shri A.N Ambasta

**V E R S U S**

1. The Union of India through the Secretary Ministry of Labour & Employment Shram Shakti Bhawan, Rafi Marg, New Delhi 110 001.
2. The Chief Labour Commissioner (Central), Shram Shakti Bhawan, Rafi Marg, New Delhi 110 001.
3. The Regional Labour Commissioner (Central), Upkar Garden, Asansol, District Bardhaman (W.B.)
4. The General Manager Ordnance Factory, Kalpi Road, Kanpur.

..... Respondents

By Adv: Shri Raghuvendra Pratap Singh

## **ORDER**

Heard Shri R.K. Shukla counsel for the applicant and Shri R.P Singh counsel for the respondents.

2. The applicant has filed this O.A for quashing the order dated 11.8.2009 (Annexure A-1) by which he was deprived of T.T.A/Joining time etc. while transferring him from Raniganj to Kanpur.

3. Admittedly, the applicant was suspended while he was posted as Assistant Labour Commissioner, Raniganj, Durgapur vide order dated 23.5.2008 (Annexure A-3) and Raniganj was made his Headquarter. It is not disputed that on his request, his Headquarter was changed from Raniganj to Ajmer but he did not proceed to Ajmer and remained at Raniganj. Lateron his suspension was revoked vide order dated 11.8.2009 (Annexure A-1) and he was also transferred from Raniganj to Kanpur and it was provided that he would not be entitled to T.T.A/Joining time etc. as his transfer was on his own request.

4. Learned counsel for the respondents has drawn my attention to the letter dated 17.7.2009 (Annexure CA-1) sent by the applicant just before the impugned order was passed to post him at Kanpur and it has been submitted that considering the request of applicant, he was posted to Kanpur on the revocation of his

suspension. It is further submitted that no T.T.A/Joining time is permissible if the transfer is made on request.

5. Learned counsel for the applicant could not deny the letter dated 17.7.2009 sent by him to the competent authority and also failed to convince that the applicant had ever withdrawn his letter of request before his transfer to Kanpur. Considering the facts, I am of the considered view that O.A is devoid of any merit and liable to be dismissed.

6. Accordingly, OA is dismissed. No order as to costs.

Member (J)

Manish/-

## APPENDIX

### Applicant's Annexures in O.A

Sl. No.	Particulars	Dates	Annex.
1.	Copy of order NO. A22012/06/2009-CLS.1	11.8.2009	A-1
2.	Copy of representation.	28.08.2009	A-2
3.	Copy of suspension order	23.5.2008	A-3
4.	Copy of revocation of suspension	07.07.2009	A-4
5.	Copy of representation.	11.11.2009	A-5

### Respondents Annexures in CA

Sl. No.	Particulars	Dates	Annex.
1.	Copy of representation of applicant.	17.7.2009	CA-1
2.	Copy of order No.22/09	11.08.2009	CA-2
3.	Copy of instruction of DOPT		CA-3
4.	Copy of order of Ministry	23.5.2008	CA-4