

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

OA No.31/2016

this the 19th day of January, 2016

Hon'ble Mr. V. Ajay Kumar, Member (J)

U.K.Sinha
(Dy. Commissioner Labour)
Aged about 37 years
S/o Late L.M.Sinha
R/o Flat No.B-2 House No.H-4/71C
Bengali Colony
Mahavir Enclave
New Delhi – 110 045. Applicant

(By Advocate: Ms. Priyanka Bhardwaj for Shri M.K.Bhardwaj)

VERSUS

Govt. of NCT of Delhi & Ors.
1. The Lt. Governor
Raj Niwas, New Delhi

2. The Chief Secretary
Govt. of NCT of Delhi
I.P.Estate Delhi Sachivalaya
New Delhi

3. The Labour Commissioner
Govt. of NCT of Delhi
5 Sham Nath Marg
Delhi – 110 054. Respondents.

ORDER (ORAL)

Heard the learned counsel for the applicant.

2. The applicant, who is working as Deputy Labour Commissioner under the respondents, filed the present OA seeking the following reliefs:-

"(i) To quash and set aside the impugned orders dated 01.10.2015, 13.10.2015 & 23.10.2015 and direct the respondents to post the applicant as Dy. Labour Commissioner in Labour Department, Govt. of NCT of Delhi

and to assign him functions as per the prescribed Recruitment rules & attached to Dy. Labour Commissioner.

- (ii) To declare the action of respondents in transferring and posting the applicant outside Labour Department and on different post as illegal and issue directions to post the applicant to Labour Department and give him such assignment as meant to be discharged by Dy. Labour Commissioner.
- (iii) To allow the OA with cost.
- (iv) To pass any such other order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

3. It is submitted that the applicant has made Annexure A-12 representation dated 21.10.2015 against his transfer to Delhi Building & other Construction Workers Welfare Board out of his parent department. However, respondents have not passed any order thereon till date. It is also submitted that applicant still continuing in Delhi Labour Welfare Board and Employees Compensation Commissioner Court and no orders have been issued as on today to post him back to Labour Department, Govt. of NCT of Delhi.

4. In the circumstances, the OA is disposed of, at the admission stage, without going into the merits of the case, by directing the respondents to consider the Annexure A-12 representation dated 21.10.2015 of the applicant and pass appropriate reasoned and speaking order thereon within four weeks from the date of receipt of a copy of this order, in accordance with law. No order as to costs.

Let a copy of the OA, be enclosed to this order.

(V. AJAY KUMAR)
Member (J)

