

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**O.A. No.2143/2015 with
O.A. No.2113/2015
O.A. No.2144/2015
O.A. No.2145/2015
O.A. No.2156/2015
O.A. No.2163/2015
O.A. No.2164/2015
O.A. No.2191/2015**

New Delhi, this the 10th day of January, 2017.

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. P.K. BASU, MEMBER (A)**

OA No. 2143/2015

Sh. Ajmer Singh,
JE (QS&C), Age 42 years,
S/o Sh. Bir Singh,
O/o Chief Construction Engineer (COD),
Engineer-in-Chief Branch,
New Delhi-110001.

.. Applicant
(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

1. Union of India,
Through Secretary,
Ministry of Defence,
South Block,
New Delhi-110010.
2. Engineer-in-Chief Branch,
Integrated HQ of MOD,
Rajaji Marg, New Delhi-10.
3. Headquarters,
Chief Engineer, Western Command,
PIN 908543, C/O 56 APO.

.. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2113/2015

Vinod Kumar Yadav, JE (QS&C),
 MES-Ex-JC199947K,
 Aged about 49 years,
 S/o Late Shri R.P. Yadav,
 R/o P-75/5, Old Pinto Park,
 Palam, Delhi Cantt-110010. .. Applicant

(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

1. Union of India,
 Through its Secretary,
 Ministry of Defence,
 South Block, New Delhi.
2. The Engineer-in-Chief,
 E-in-C Branch,
 Integrated HQ of MOD (Army),
 Kashmir House, Rajaji Marg,
 New Delhi-110011.
3. The Directorate General (Personal) E1B,
 Engineer-in Chief's Branch,
 Integrated HQ of MOD (Army),
 Kashmir House, Rajaji Marg,
 New Delhi-110011.
4. The Chief Engineer,
 Headquarters,
 Western Command,
 PIN 908543, C/o 56 APO. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2144/2015

Ishwar Singh,
 JE (QS&C), Age-46 years
 S/o Shri Ram Kishanje,
 O/o Commander Works Engineer,
 New Delhi-110010. .. Applicant

(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

5. Union of India,
Through Secretary,
Ministry of Defence,
South Block,
New Delhi-110010.
6. Engineer-in-Chief Branch,
Integrated HQ of MOD,
Rajaji Marg, New Delhi-10.
7. Headquarters,
Chief Engineer, Western Command,
PIN 908543, C/O 56 APO. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2145/2015

Tej Singh,
JE(QS&C), Age 48 years
S/o Shri Jeetram,
O/o Garrison Engineer,
New Delhi,
Delhi Cantt-110010.

.. Applicant

(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

1. Union of India,
Through Secretary,
Ministry of Defence,
South Block,
New Delhi-110010.
2. Engineer-in-Chief Branch,
Integrated HQ of MOD,
Rajaji Marg, New Delhi-10.
3. Headquarters,
Chief Engineer, Western Command,
PIN 908543, C/o 56 APO. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2156/2015

Vinod Kumar, JE (QS&C),
 MES-Ex-JC207633A,
 Aged about 45 years,
 S/o Shri Jagdhir Singh,
 R/o RZ C-3/212A, Gurudwara Road,
 Mahavir Enclave, New Delhi-110045. .. Applicant

(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

1. Union of India,
 Through Secretary,
 Ministry of Defence,
 South Block, New Delhi.
2. The Engineer-in-Chief,
 E-in-C Branch,
 Integrated HQ of MOD (Army),
 Kashmir House, Rajaji Marg,
 New Delhi-110011.
3. The Directorate General (Personal) E1B,
 Engineer-in-Chief's Branch,
 Integrated HQ of MOD (Army),
 Kashmir House, Rajaji Marg,
 New Delhi-110011.
4. The Chief Engineer,
 Headquarters,
 Western Command,
 PIN 908543, C/O 56 APO. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2163/2015

Gagan Agrawal, 30 Yrs, JE (QS&C),
 S/o Shri M.C. Agrawal,
 R/o LD-72, Tower Apartment,
 Pitam Pura, Delhi-110034.
 Serving in GE(AF)FBD C/O CWE(AF),
 Palam, Delhi Cantt-110010. ... Applicant

(By Advocate: Shri A.K. Trivedi)

Versus

1. Union of India,
Through its Secretary,
Ministry of Defence,
South Block,
New Delhi-11.
2. The Chief Engineer,
HQs Western Command,
Chandimandir-908543.
3. The Director General (Pers),
Engineer-in-Chief Branch,
Kashmir House, DHQ, PO,
New Delhi-110011. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2164/2015

Sumit Kumar, 33 Yrs, JE (QS&C),
S/o Shri Laxman Singh,
R/o RZ-26P/160, Indra Park Extn,
Street No. 4, Palam Colony, Delhi-110045,
Serving in GE (C), Delhi Cantt. .. Applicant

(By Advocate: Shri A.K. Trivedi)

Versus

1. Union of India,
Through its Secretary,
Ministry of Defence,
South Block,
New Delhi-11.
2. The Chief Engineer,
HQs Western Command,
Chandimandir-908543.
3. The Director General (Pers),
Engineer-in-Chief Branch,
Kashmir House, DHQ, PO,
New Delhi-110011. .. Respondents

(By Advocate: Shri Gyanendra Singh)

OA No. 2191/2015

Dilbag Rai Bahal, JE (QS&C),
MES-Ex-JC174687Y,
Aged about 52 years,
S/o Shri Sawai Ram Singh,
R/o RZ-11, Shivalya Apartment,
Street No. 6, Raj Nagar, Part-I,
Palam, New Delhi-110075. .. Applicant

(By Advocate : Shri M.K. Bhardwaj with Shri M.D. Jangra)

Versus

1. Union of India,
Through Secretary,
Ministry of Defence,
South Block, New Delhi.
2. The Engineer-in-Chief,
E-in-C Branch,
Integrated HQ of MOD (Army),
Kashmir House, Rajaji Marg,
New Delhi-110011.
3. The Directorate General (Personal) E1B,
Engineer-in-Chief's Branch,
Integrated HQ of MOD (Army),
Kashmir House, Rajaji Marg,
New Delhi-110011.
4. The Chief Engineer,
Headquarters,
Western Command,
PIN 908543, C/O 56 APO.

.. Respondents

(By Advocate: Shri Gyanendra Singh)

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard both the sides.

2. This batch of O.As., i.e. O.A. No.2143/2015 along with connected O.As., were earlier dismissed by an order dated 18.04.2016 by this Tribunal. However, the Hon'ble High Court set aside the said order and remanded back the same for fresh adjudication. It was also observed that at the time of adjudication, the assertions recorded in the order will be taken into consideration/examined.

3. However, when this batch is taken up for hearing, it is agreed by both sides that in pursuance of the interim protection granted 1½ years back, the applicants have been continuing in their original place of posting and since these are transfer matters and the transfers of Govt. servants are governed by the rules/policy and the administrative exigencies, respondents may be directed to reconsider the cases of the applicants, keeping in view the present circumstances and rules.

4. In view of the lapse of substantial time after the passing of the impugned transfer orders and in view of the submissions made by both the sides, ends of justice would be met if the O.As. are disposed of by permitting the applicants to make fresh

representations ventilating their grievances and to direct the respondents to consider the same and pass appropriate orders thereon, within a fixed timeframe.

5. Accordingly, all the O.As. are disposed of by permitting the applicants to make fresh representations ventilating their grievances, if any, still subsisting as on today, within 10 days from the date of receipt of a certified copy of this order and on receipt of such representations, the respondents shall consider the same and pass appropriate reasoned and speaking orders thereon, in accordance with law, within eight weeks therefrom. Till then, the respondents shall not disturb the applicants from their present place of posting.

Order by **DASTI.**

(P.K. BASU)
Member (A)

(V. AJAY KUMAR)
Member (J)

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