

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No.2147/2016

New Delhi this the 24th day of June, 2016

Hon'ble Mr. V.N. Gaur Member (A)

L.R. Vishwanath, Additional Director General,
Aged about 56 years,
S/o Late Sh. L.V.Ramasesh,
R/o 058, Chhota Singh Block,
Asian Games Village,
New Delhi-110059.

...Applicant.

(By Advocate: Shri M.K.Bhardwaj)

Versus

1. Union of India & Ors.
Through its Secretary
Ministry of Information & Broadcasting,
6th Floor, Shastri Bhawan, New Delhi.
2. The Joint Secretary (Policy & Administration),
Ministry of Information & Broadcasting,
5th Floor, Shastri Bhawan, New Delhi.
3. Sh. R.R.Singh, Assistant Director,
Presently posted as Addl. Private Secretary,
Minister for Information & Broadcasting,
5th Floor, Shastri Bhawan, New Delhi. ...Respondents.

(By Advocate:Shri Hanu Bhaskar)

O R D E R (Oral)

Heard the learned counsel.

2. The present application has been filed by the applicant impugning the order dated 17.06.2016 by which he has been transferred from ADG (I&C), New Media Wing, New Delhi with additional charge of EMMC, New Delhi to ADG (News), NSD: AIR, New Delhi vice Shri R.N.Mishra. According to the learned counsel for the applicant, the applicant has been working with sincerity

and devotion and his work has been appreciated by the authorities, which is reflected from the fact that he was given additional charge of New Media Wing by order dated 16.01.2015. He has also been given Web Ratna Award 2014 appreciating his work done by him. The applicant though was not due for transfer but, according to the applicant, respondent no. 3 is responsible for twisting the facts and manipulating his present transfer. It has also been submitted that the present chain of transfer was not approved by the Civil Services Board before it was placed before the Competent Authority for approval.

3. Shri Hanu Bhaskar, learned counsel appearing for the respondents, on the other hand, submits that the OA itself is not maintainable as the applicant has not exhausted all the remedies before approaching this Tribunal. He has produced the original record to establish that the transfer of the applicant along with some other officers was considered by the Civil Services Board on 08.06.2016 and thereafter approved by the Competent Authority on 17.06.2016. He further submits that the applicant has been in the present post for sufficiently long time and, therefore, it cannot be said that he is not due for transfer or any prejudice has been caused to him because of this transfer, which is within Delhi only.

4. In the light of the submissions made by the learned counsel and after considering the facts and circumstances of the case including Section 20 of the Administrative Tribunal Act, I am of the view that the interest of justice would be served, if the applicant makes a representation to the Competent Authority, bringing out his grievances with regard to the transfer, and the same is decided by the respondents within a fixed timeframe. Both the learned counsels are agreeable to this. Accordingly, it is ordered that the applicant shall make a representation to the Competent Authority by 27.06.2016, which will be decided by the respondents within one week from the date of receipt of such representation. Till such time, the applicant shall not be moved from his present post in terms of the order dated 17.06.2016.

5. The OA is accordingly disposed of. No costs.

Issue Dasti.

(V.N.Gaur)
Member (A)

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