

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH AT BANGALORE

ORIGINAL APPLICATION NO.170/00377/2018
DATED THIS THE 23RD DAY OF APRIL, 2018

HON'BLE DR K. B SURESH....MEMBER (J)

Shri C.S. Kothandaram,
Sr. Scientific Officer-I,
ORDAQA(E), DGAQA,
Ministry of Defence,
C.V. Raman Nagar Post,
Bengaluru – 560 093

S/o M.K. Sundaram
R/at No. D-8/10,
DRDO Township,
Phase – I, C.V. Raman Nagar,
Bengaluru - 93

...Applicant

(By Advocate Smt. M.V. Thanuja)

Vs.

1. The Union of India
Represented by its Secretary,
Ministry of Defence,
South Block, New Delhi – 110 001.

2. The Director General,
AQA, Ministry of Defence,
'H' Block, Udyog Bhavan Post,
New Delhi – 110 011.

3. The Additional Director General (SZ),
DGAQA, P.B. No. 1782,
Vimanapura Post,
Bengaluru – 560 017

...Respondents

ORDER (ORAL)

HON'BLE DR K.B.SURESH, MEMBER (J)

The applicant seeks to challenge his transfer on the ground that he has not

completed his normal tenure or even the cumulative tenure he is being transferred to Koraput in spite of his representation giving personal reasons. In this situation, I feel that it will be just and proper for me to dispose of the matter directing the respondents to assess and weigh the impact of having old parents and parents in law to look after in the light of the Circular issued by the DoPT regarding certain rights of a caregiver.

2. Even otherwise also they should have done it earlier as apparently the applicant has not completed his tenure. Therefore I will dispose of this case *in limine* holding that the respondents need to re-examine the matter. To enable them to do so, the transfer order of the applicant is hereby set aside. They can look into the matter afresh and pass appropriate order within two months next. If the order is against him he will have a two weeks window to challenge that order for which time the transfer order will not be implemented if a fresh transfer order is to be issued to him.

3. The OA is allowed to this limited extent. No order as to costs.

(DR K B SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the Applicants in OA No.170/00377/2018

Annexure A1 : Copy of promotion as SSO-II

Annexure A2 : Copy of the Reversion as SSO-II

Annexure A3 : Copy of the promotion as SSO-I

Annexure A4 : Copy of the deployment policy

Annexure A5 : Copy of the RTP List

Annexure A6 : Copy of the request for retention with Appendix C

Annexure A7 : Copy of the transfer order dated 04.04.2018

Annexure A8 : Copy of the request for retention dated 11.04.2018

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