

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Friday 2nd day of February Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A.310/00135/2018

Arunesh Kumar Shukla,
Garrison Engineer (I)(P) (Fy)
Avadi, Chennai-54.

.....Applicant

(By Advocate : Mr. V. Vijay Shankar)

VS.

1. The Union of India Rep. by
Director General (Personnel),
Engineer-in-Chief Branch,
Army Headquarter, DHQ, PO
New Delhi-11;
2. The Additional Director General of (OF & DRDO),
Mudfort, Secunderabad;
3. The Chief Engineer (Factories),
Parade Ground,
Sardar Patel Road,
Secunderabad – 500 003.

... ..Respondents

(By Advocate: Mr. K.Rajendran)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

The O.A. has been filed by the applicant seeking the following relief:-

“to call for the records of the 1st respondent in its MES/62/2017/E1B dated 22.12.2017 (received on 25.1.2018 by fax) and quash the same in so far as the applicant is concerned, and direct the 1st respondent to consider the applicant's representations dated 12.12.2017 and 22.1.2018 for compassionate ground posting in accordance with the Transfer Policy.”

2. Heard. Learned counsel for the applicant submits that applicant is aggrieved by Annexure-A/6 transfer order dated 22.12.2017 by which he has been moved from Avadi to Pathankot. It is alleged that under the policy guidelines of the respondents, the applicant was entitled to two convenient postings of two years duration each. The applicant had submitted a representation in this regard dated 12.12.2017 seeking transfer to Bhopal so that he could be near Sagar where his spouse is working in the Department of Education of the government of Madhya Pradesh. The impugned order has been passed without considering the request of the applicant which is covered by the policy guidelines. Accordingly, the applicant would be satisfied if a direction is given to the respondents to consider his Annexure-A3 request dated 12.12.2017 and pass a speaking order. The applicant also seeks to be permitted to supplement his representation with additional material/documents. It is also prayed that

the transfer order in respect of the applicant be directed to be kept in abeyance till such disposal of his Annexure-A3 representation.

3. Mr. K. Rajendran, Learned Standing Counsel takes notice for the respondents.

4. Keeping in view the limited relief sought and without going into the substantive merits of the case, I am of the view that this O.A. could be disposed of with the following direction:-.

“Respondents shall consider Annexure A/3 representation dated 12.12.2017 along with any fresh/ further material the applicant may wish to submit to supplement the same and pass a reasoned and speaking order within a period of four weeks from the date of receipt of copy of this order. Status quo in so far as the applicant is concerned may be maintained till then.”

5. The O.A. is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER(A)

2.2.2018

asvs.