

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : BILASPUR

Original Application No.200/00354/2018

Bilaspur, this Wednesday, the 18th day of April, 2018

HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Hemant Bhaisare, S/o Shri Ramesh Bhaisare, aged about 39 years, R/o-137, Regal Mohini Homes, Awadhpuri, Khajuria Kala, Bhopal – 462001 (MP) **-Applicant**

(By Advocate – Shri Vijay Tripathi)

V e r s u s

1. Bharat Sanchar Nigam Ltd. Science through Chief Managing Director, Bharat Sanchar Bhawan, Corporate Office, New Delhi 110001.
2. Chief General Manager, Bharat Sanchar Nigam Ltd., BSNL Bhawan, Hoshangabad Road, New Government Press, Bhopal (MP) 462001.
3. Assistant General Manager, MP Telecom Circle, Bhopal, Bharat Sanchar Nigam Ltd., Bhopal (MP) 462001 **- Respondents**

O R D E R

By Navin Tandon, AM.

The applicant is aggrieved by the order dated 28.03.2018 (Annexure A-1), whereby he has been transferred from PGM (NOP-CM), CO, Bhopal to Guna TD.

2. Learned counsel for the applicant submits that wife of the applicant is an Assistant Professor in Government Girls College, Sehore. As per para 6 (g) of BSNL's Employee Transfer Policy dated 07.05.2008 (Annexure A-2), the posting of husband and wife at the same station shall be considered if the employee's spouse is serving in Central/State Government or a Public Sector Undertaking (PSU). Further, the respondents have not followed the modified transfer policy (Annexure A-6), which stipulates that employee with longest station stay shall be transferred first.

3. Learned counsel for the applicant submits that the applicant has made a representation dated 31.03.2018 (Annexure A-9), which has been duly forwarded to DGM (QOS/PIB) on the same date and the same is still pending with the respondent department. He further submits that the applicant will be satisfied if the respondents are directed to consider and decide the representation of the applicant in a time frame and till the time representation is kept pending, the transfer order of the applicant, may not be given effect to.

4. We have gone through the pleadings and the arguments put forth by learned counsel for the applicant and we feel that ends of justice would be met if the respondents are directed to consider

and decide the pending representation of the applicant before affecting his transfer order.

5. Accordingly, we dispose of this Original Application at the admission stage itself with a direction to the competent authority of the respondents to consider and decide the representation of the applicant dated 31.03.2018 (Annexure A-9), in accordance with law, by passing a reasoned and speaking order. Till the time representation is not decided, the transfer order dated 28.03.2018, so far as it relates to the applicant, shall not be given effect to. Needless to say that we have not expressed any opinion on the merits of the case.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-