



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A 350/996/2018

Date of Order 11.07.2018.

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Pallab Chakraborty, son of Late Parimal Chakraborty, aged about 57 years, residing at 43/East/First Floor, The Park Estate, Ichapur, Nawabganj, District North 24- Parganas, Pin - 743122 working to the post of Assistant Engineer (Quality Assurance) under the control and authority of Additional Director General of the Quality Assurance, ADGQA, Department of Defence Production, DQA (ME), P.O. Ichapur, Nawabganj, District North 24-Parganas, Pin 743144.

--Applicant

-vs-

1. Union of India through the Secretary, Ministry of Defence, Department of Defence Production, New Delhi, Room No. 136, South Block, Nirman Bhaban, New Delhi - 110011.
2. The Director General of Quality Assurance, DGQA, Government of India, Ministry of Defence, Room No. 308- A, 'D' Wing, Sena Bhabha, Nirman Bhaban, New Delhi-110011.
3. The Additional General of Quality Assurance, ADGQA (Metal & Explosive), Government of India, Ministry of Defence, Deptt. of Defence Production, Post Office - Ichapur, Nawabganj, District - North-24- Parganas, Pin - 743144.
4. The Deputy Director, DQA (ME), Office of ADGQA, P.O. Ichapur, Nawabganj, District - North 24- Parganas, Pin - 743144, West Bengal.

--Respondent

For The Applicant(s): Mr. P.C Das, Counsel
Ms. T. Maity, Counsel
For The Respondent(s): None

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Ld. counsel for the applicant is present. None appeared for the respondents despite notice. Therefore, Rule 16(1) of CAT (Procedure) Rules, 1987 is invoked to dispose of the O.A.

2. The applicant seems to be aggrieved as he has less than three years service left yet he is transferred from Ichhapur to Katni. Ld. counsel for the applicant submits that such transfer is in violation of the existing transfer policy of the Department in as much as sub-para 04 of the clarificatory Circular dated 10th Feb, 2017 says that, officials having 03 years or less service for superannuation, would be exempted from rotational transfer. Applicant has preferred a representation on 28.06.2018 seeking respite from transfer to the Offg. ADGQA, Ichhapur, where he has highlighted this particular clause.

3. Ld. counsel for the applicant submits that he shall be satisfied if a direction is given for consideration of the representation in the light of the prevailing circular.

4. Accordingly, the O.A is disposed of with a direction upon the Respondent No. 2 or any other competent authority to look into the grievance of the applicant, consider in accordance with the circular (supra), and pass appropriate reasoned and speaking order within 4 weeks from the date of receipt of a copy of this order. Till such time, the applicant shall not be compelled to join the post of transfer. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)