

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A 350/1251/2018

Date of Order: 21.08.2018

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

Mahadeb Halder, son of Late Sambhu Bhusan Halder, aged about 58 years, resident of At and Post Office Balagarh Mandirtala, District - Hooghly, Pin Code - 712501.

--Applicant

AND

1. The Comptroller and Auditor General of India, Office at Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi - 110124.
2. The Director General of Audit, Defense Services, L-II Block, Brassey Avenue, New Delhi - 110001.
3. The Principal Director of Audit (Ordnance Factories), 10/A, S.K. Bose Road, Kolkata - 700001.

--Respondents

For The Applicant(s): Mr. A. Chakraborty, Counsel

For The Respondent(s): Mr. S. Roy, Counsel

ORDER (ORAL)

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

The applicant has approached this Tribunal seeking the following relief:

- (i) "Office Order part -II being number 193 dated 13.08.2018 issued by the respondent No. 2 in respect of the applicant is not tenable in the eye of law and as such the same may be quashed."
- (ii) Pass such further or other order or orders."

2. We have heard Id. counsel for both parties. Id. counsel Mr. S. Roy submits that he has not been engaged by the Department and, therefore, he is not in a position to make any submission in regard to the issue on the subject matter of the present O.A.

3. Ld. counsel for the applicant sought for consideration on the ground that the applicant has only two years to retire but he failed to place any circular or provisions thereof which debars such transfer at the fag end of service.

4. Ld. counsel for the applicant however submitted that he will be satisfied if a direction is given upon the respondents to consider the pending representation dated 16.08.2018 in a time bound manner

5. Accordingly, without entering into the merit of the matter, we dispose of the O.A with a direction upon the Respondent No. 3 or any other competent authority to look into the grievance of the applicant and consider in accordance with law and pass a reasoned and speaking order within 4 weeks.

6. Till such time, no coercive action shall be taken against the applicant in regard to his transfer.

7. O.A is disposed of. No costs.

8. The applicant is at liberty to communicate the gist of orders to the respondent authorities. Urgent certified copy of this order be handed over to Ld. counsel for both sides.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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