

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION No.811/2017**

**Date of Decision: 21.12.2017.**

***CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)***  
***HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)***

Mrs. Sandhya Deotale  
 Working as Deputy Director,  
 Mumbai. R/at C/o Shergaon,  
 Flat No. A-1, Shanti Jeevan Apartment,  
 Opp. Mumbai University,  
 Santacruz (E), Mumbai 400 098. ... ***Applicant***  
***(Advocate Shri Vicky Nagrani )***

**Versus**

1. The Union of India,  
 Through the Secretary,  
 Ministry of Youth Affairs,  
 Room No.114, C-Wing,  
 Shastri Bhawan,  
 New Delhi – 110 001.
2. The Director General,  
 Nehru Yuva Kendra Sangathan  
 2<sup>nd</sup> Floor, Core IV,  
 Scope Minar Laxmi Nagar,  
 Vikas Marg, New Delhi 10092.
3. The Director,  
 Nehru Yuva Kendra Sangathan  
 2<sup>nd</sup> Floor, Core IV,  
 Scope Minar Laxmi Nagar,  
 Vikas Marg, New Delhi 10092. ... ***Respondents***

**ORDER** (Oral)

*Per : Shri A.J. Rohee, Member (J)*

Today when the matter is called out for  
 admission, Applicant appeared in person  
 along with Shri Vicky Nagrani, learned

Advocate for her. Heard both of them. We have carefully perused the case record.

2. The Applicant is presently working as Deputy Director in Nehru Yuva Kendra Sangathan, Mumbai. It is stated that she is holding the charge of the post of State Director for Maharashtra and Goa also. Applicant has grievance regarding the impugned order dated 15.12.2017 (Annexure A-1) issued by the Respondent No.2 by which, she is transferred and posted as State Director Incharge Madhya Pradesh at Bhopal with immediate effect, on administrative grounds.

3. In this OA, the applicant seeks the following reliefs:

*“8.a This Hon'ble Tribunal may graciously be pleased to call for the records of the case from the respondents and after examining the same, quash and set aside the impugned order dated 15.12.2017 with all consequential benefits.*

*8.b This Hon'ble Tribunal may further be pleased to direct the respondent to allow the applicant to continue her duty as Deputy Director, Mumbai.*

*8.c Cost of the application be provided*

*for.*

*8.d Any other and further order as this Hon'ble Tribunal deems fit in the nature and circumstances of the case be passed.”*

4. During the course of argument, it is submitted by the learned Advocate for the applicant that the impugned transfer order is against the provisions of the Transfer Policy and further the DOPT OM dated 31.05.2014, since the applicant is suffering from 50% blindness and as such a person under disability. It is also stated that transfer has been effected in mid-term of academic session affecting the education of her son. It is stated that the applicant submitted a representation dated 18.12.2017 (Annexure A-9) to the Respondent No.2 for cancellation of the impugned transfer order on personal and administrative grounds. It is stated that the applicant is not relieved so far from the present post. Considering the fact that Respondent No.2 has not yet taken any decision on her pending representation, there is no impugned order as such rejecting her request for

cancellation of the transfer.

**5.** In view of the above, we are of the considered view that ends of justice will be better served, if appropriate directions are issued to the respondents.

**6(a)** The Respondent No.2 is, therefore, directed to consider and pass a reasoned and speaking order in accordance with law on the pending representation dated 18.12.2017 (Annexure A-9) of applicant within a period of two weeks from today.

**(b)** The order so passed shall then be communicated to the applicant at the earliest, who will be at liberty to approach the appropriate forum in case her grievance still persists.

**(c)** It is further directed that till Respondent No.2 takes a decision on the pending representation, the respondents are directed not to relieve the applicant from the present post.

**(d)** The OA stands disposed of with the aforesaid directions at the admission stage, without issuing notice to the respondents and without making any comments on merits of

the claim.

**(e)** On the request made, steno copy of this order duly authenticated shall be given to the learned Advocate for the applicant today itself for taking appropriate steps in the matter.

**(f)** Registry to issue certified copy of this order to both the parties immediately.

***(R. Vijaykumar)***  
***Member (A)***

***(A.J. Rohee)***  
***Member (J)***

*dm.*