

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...  
**ORIGINAL APPLICATION NO.060/00153/2019**

**Chandigarh, this the 19<sup>th</sup> day of February, 2019**

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &  
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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MES No. 317676, Aman Kumar S/o Sh. Ganga Ram, aged 23 years, O/o GE (AF) Bhisiana, working as JE (QS&C) R/o Village Duhola, PO Baghola, Distt. Palwal, Haryana – 121102.

**.....Applicant**

**(Present: Mr. Jagdeep Jaswal, Advocate)**

**Versus**

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi – 110011.
2. Chief Engineer, HQ, Western Command – 908543, C/o 56 APO.
3. Commander Works Engineer (AIR Force), HQ, Bhisiana-151201.
4. Garrison Engineer (Air Force), Bhisiana – 900216 c/o 56 APO.

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**Respondents**

**(Present: Mr. Sanjay Goyal, Advocate)**

**ORDER (Oral)  
SANJEEV KAUSHIK, MEMBER (J)**

1. Admittedly, the applicant, who has been posted in Bhisiana for the last two years, has now been transferred to GE EWS 969 (Bhadarwaha), vide order dated 06.03.2018 (Annexure A-1).
2. Learned counsel submitted that the present place of posting i.e. Bhisiana has now been declared as tenure station, vide order dated 13.09.2018 (Annexure A-7). In pursuance to the choice stations called for by the department, the applicant expressed his willingness to continue at Bhisiana itself, after completion of two

years, which has not been appreciated by them in perspective manner. He also submitted that there is no other adult male member in the family to look after his parents, who, most of the time, stay with him and sometime with his younger brother at Alwar, who is still studying. His mother has been advised to go for procedure. It is also alleged that the impugned order (Annexure A-1) is a non-speaking one and has been passed, without considering the difficulties faced by the applicant. Therefore, he submitted that the respondents be directed to re-appreciate the representation of the applicant in view of the fact that no other person has given his willingness to join at Bhisiana, a tenure posting, and also that the parents of the applicant are old and he is the only adult male member in the family to look after them.

3. Notice.

4. At this stage, Mr. Sanjay Goyal, Sr. SCCG, appears and accepts notice. He vehemently opposed the prayer of the applicant for staying the transfer order. He, however, did not oppose the prayer of the applicant for disposal of the O.A. with a direction to the respondents to re-consider the representation of the applicant.

5. In the wake of above, we dispose of the O.A., with a direction to the respondents to re-consider the representation of the applicant to allow him to continue at the present place of posting in view of the fact that no other person has named Bhisiana as a choice station and also considering his family problems, by passing a reasoned and speaking order, within a period of two weeks from the date of receipt of a copy of this order. A copy of the order so passed be communicated to the applicant.

6. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merits of the case. No costs.

**(P. GOPINATH)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**Dated: 19.02.2019**

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