

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No. 040/00373/2018

Date of Order: This, the 12<sup>th</sup> day of November 2018

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER**

Shri Navajyoti Baishya  
JE, Vigilance Cell  
Brahmaputra Board, Basistha  
Guwahati – 781029.

**...Applicant**

By Advocate: Mr. M. Chanda

-Versus-

1. The Union of India  
Represented by the Secretary  
Govt. of India, Ministry of Water Resources  
627, Shram Shakti Bhawan  
Rafi Marg, New Delhi – 110001.
2. The Brahmaputra Board  
Represented by its Chairman  
Basistha, Guwahati – 781029.
3. The Vice Chairman  
Brahmaputra Board  
Basistha, Guwahati – 781029.
4. The General Manager  
Brahmaputra Board  
Basistha, Guwahati – 781029.
5. The Under Secretary  
Brahmaputra Board  
Basistha, Guwahati – 781029.

**...Respondents**

By Advocate: Mr. S.K. Ghosh, Addl. CGSC

**ORDER (ORAL)****MANJULA DAS, JUDICIAL MEMBER:**

The instant petition has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 for setting aside the impugned office order dated 31.10.2018 so far applicant is concerned and to allow him to continue in the present place of posting or alternatively to review the transfer and posting order of the applicant for posting in any other offices of the Brahmaputra Board in and around Guwahati including North Guwahati, Rangia or Nalbari on compassionate ground since the new born baby and wife of the applicant are suffering from serious medical ailment after the delivery of the baby who are residing at Rangia, i.e. in the native place of the applicant to look after the dependent aged parents of the applicant.

2. At the outset of moving the instant O.A., Mr. M. Chanda, learned counsel appearing on behalf of the applicant submits that applicant may be granted liberty to file a comprehensive representation within a time frame and till such time, operation of the impugned office order No. BB/E-I/3509/2017/06/2017/06 dated 31.10.2018 so far applicant is

concerned may be stayed where Mr. S.K. Ghosh, learned Addl. CGSC representing the respondents also agreed to.

3. In view of the above, by accepting the prayer made by the learned counsel for the applicant and without going into the merit of the case as well as without issuing notice to the respondents, I direct the applicant to make a comprehensive representation before the respondent authority within fifteen days from the date of receipt copy of this order. On receipt of such, the respondent authority shall consider and dispose of the said representation within a period of three months by taking into note the facts and circumstances of the case of the applicant thereafter.

4. It is made clear that, whatever decision to be arrived by the Respondent Authorities, shall be reasoned and speaking and shall be communicated to the Applicant forthwith. Till the decision of the respondent authority on the representation as well as communication of the same to the applicant, operation of the impugned office order No. BB/E-I/3509/2017/06/2017/06 dated 31.10.2018 so far applicant is concerned shall be kept in abeyance.

5. O.A. stands disposed of accordingly at the admission stage itself. No order as to costs.

**(MANJULA DAS)  
MEMBER (J)**

**PB**