

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 046/00362/2018

Date of Order: This, the 25th day of October 2018

(VACATION BENCH COURT)

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

P No. 2478
Shri Raj Kishor Mandal
Son of Late Ram Prasad Mandal
Messenger, Army Recruitment Office
Rangapahar, Dimapur
PIN – 900191, C/O 99 APO.

...Applicant

By Advocate: Mr. Adil Ahmed

-Versus-

1. The Union of India represented by the Secretary to the Government of India Ministry of Defence, South block, New Delhi, Pin – 110011.
2. The Director General Manpower, MP – 4 (Civ) B AGs Branch, integrated Headquarters Ministry of Defence (Army) New Delhi, Pin – 110105.
3. The Deputy Director General Army Recruitment Office (N.E. States) Shillong, Pin – 900332, C/O 99 APO
4. The Director Army Recruitment Office Rangapahar, Dimapur Pin- 900191, C/O 99 APO.

...Respondents

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

Being aggrieved with the impugned transfer and posting order No. 4048/Est/Civ dated 04.10.2018 whereby the applicant has sought to be transferred from the office of the Army Recruitment Office, Rangapahar, Dimapur to Army Recruitment Office, Jorhat, the applicant has preferred present O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- “8.1 To set aside and quashed the impugned Transfer and Posting Order of the Applicant vide posting order No. 4048/Est/Civ dated 04.10.2018 whereby the applicant has been transferred from the office of the Army Recruitment Office, Rangapahar, Dimapur to Army Recruitment Office, Jorhat.
- 8.2 To allow the applicant to continue at Army Recruitment Office Rangapahar, Dimapur Nagaland till completion of his children education 10+2 under Nagaland Board of School Education.
- 8.3 To pass any other relief(s) to which the applicant may be entitled and as may be deemed fit and proper by the Hon'ble Tribunal.
- 8.4 To pay the cost of the application.”

2. At the outset of moving the instant O.A, Mr Adil Ahmed, 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 disposal of such comprehensive representation; applicant shall not be disturbed from his present place of posting at Army Recruitment Office, Rangapahar, Dimapur.

3. 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 hearing the respondents' side, I direct the applicant to make a comprehensive representation before the respondent authority within thirty 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 two 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. Meanwhile, till disposal of such comprehensive representation;

applicant shall not be disturbed from his present place of posting at Army Recruitment Office, Rangapahar, Dimapur.

5. With the above directions, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

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

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