

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No. 042/00131/2019

Date of Order: This, the 22<sup>nd</sup> day of April 2019

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

Smti. Sheema Okram  
Wife of Basanta Singh  
Senior Hindi Teacher  
39 Assam Rifles, Kakching  
C/O 99 APO, Pin – 932018.

**...Applicant**

By Advocate: Mr. S. Nath

-VERSUS-

1. The Union of India  
Represented by the Secretary  
To the Government of India  
Ministry of Home Affairs  
New Delhi – 110001.
2. The Director General  
Assam Rifles  
Record Branch, Laitkore  
Shillong, Pin – 793011.
3. The Commandant  
39 Assam Rifles  
Kakching, C/O 99 APO  
Pin – 932018.

**... Respondents**

By Advocate: Mr. V.K. Bhatra, Sr. CGSC

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

On being mentioned by Mr. S. Nath, learned counsel for the applicant in presence of Mr. V.K. Bhatra, learned Sr. CGSC for the respondents, this case is being taken up today as unlisted.

2. By this O.A., applicant makes a prayer to set aside and quash the impugned letter No. 1.1407/Posting-Tfr/031/Adm-IV(Civ)/2018/013 dated 17.04.2018 communicated vide letter dated 21.04.2018 and impugned speaking order No. 1.14017/Rec/Adm-IV/(Civ)/2019 dated 05.04.2019. Further prays for a direction upon the respondent No. 2 to allow her to continue at her present place of posting at 39 AR Kakching, Manipur or to post her at Mantripukhri till the applicant is allowed to go for voluntary retirement with effect from 02.09.2019.

3. Mr. S. Nath, learned counsel appearing on behalf of the applicant submits that this is the second round of litigation. Earlier the applicant approached this Tribunal by filing O.A. No. 042/00182/2018 with the prayer to set aside the impugned letter dated 17.04.2018 communicated vide letter dated 21.04.2018. This Tribunal vide order dated 18.12.2018 disposed of the said O.A. and directed the applicant to submit a comprehensive representation before the appropriate authority by giving her choice places of posting and on

receipt of the same, the respondents shall consider her case for choice posting within a period of two months thereafter. Accordingly, the applicant submitted her representation on 22.02.2019 and requested to grant her posting at 15 AR, Mantripukhri or extend her posting at 39 AR, Kakching till the sanction of her voluntary retirement. However, the respondent authority vide speaking order dated 05.04.2019 rejected representation of the applicant dated 22.02.2019.

4. Being aggrieved with the aforesaid speaking order dated 05.04.2019, applicant submitted representation on 16.04.2019 for voluntary retirement w.e.f. 02.09.2019 because of the fact that she has about 4 months and 9 days service left to complete the tenure of 20 years for voluntary retirement and he has not been released from his present place of posting. According to Mr. Nath, no Senior Teacher has been posted at 39 AR, Kakching till date and the post of Senior Teacher is vacant at 15 AR, Mantripukhri. As such, there is no difficulty on the part of the respondent No. 2 to allow the applicant to continue in her present place of posting or to transfer her at 15 AR, Mantripukhri.

5. On the other hand, Mr. V.K. Bhatra, learned Sr. CGSC appearing on behalf of the respondents suggested before the BAR that applicant may be retained as per her choice posting.

5. In view of the above, in the interest of justice, I direct the respondent authorities to accommodate the applicant either at 39 AR Kakching, Manipur or at 15 AR Mantripukhri for a period of 4 months 9 days so as to complete the period of 20 years of her service where she has already submitted notice for voluntary retirement.

6. Needless to mention that there is no bar for the respondents to consider the pending representation of the applicant dated 16.04.2019 which was made for voluntary retirement.

7. With the above direction, O.A. stands disposed of accordingly at the admission stage. There shall be no order as to costs.

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