

## CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original application No.040/0051/2019

Date of Order: This the 19.02.2019

**HON'BLE MRS.MANJULA DAS, JUDICIAL MEMBER**  
**HON'BLE MRN.NEIHSIAL, ADMINISTRATIVE MEMBER**

Shri Biprojit Seal  
 Son of Late B.K.Seal,  
 Sr. Draughtsman (Civil), Central PWD  
 Meghalaya Central Division,  
 Dhankheeti, Shillong-793003

Applicant.

By Advocate Mrs.U.Dutta

-Versus-

1. Union of Represented by the  
 Secretary to the Govt of India  
 Ministry of Urban Development ,  
 Nirman Bhawan,  
 New Delhi-110011.
2. The Director General,  
 Central Public Works Department  
 New Delhi-110111.
3. The Deputy Director General (ER)  
 Co-ordination Circle, Eastern Zone  
 CPWD, Nizam Palace,  
 234/4, A.J.C.Bose Road, Kolkata-20.
4. Smti Naorem Hemabati Devi,  
 Sr.Draftsman (C)Meghalaya  
 Central Division, CPWD, Shillong-3.

Respondents

## **O R D E R (ORAL)**

**Per Mrs.Manjula Das, Judicial Member:**

The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 with the following reliefs.

“ 8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned transfer order No.32 of 2017/DDDG(HQ)ER dated 25.05.2017 (Annexure-A1) so far the applicant s concerned.

8.2That, the Hon'ble Court be pleased to direct the respondents to accommodate the applicant in the existing vacant post of Sr.D/M (C), in the office of the Meghalaya Central Division.”

1. Heard Mrs.U.Dutta, learned counsel for the applicant and Mr.S.K.Ghosh, learned Addl.C.G.S.C. for the respondents perused the O.A. and materials placed therein.

2. learned counsel for the applicant submitted that the applicant was initially appointed as D/M(C) Grade –III

on 11.06.1992 at Shillong and thereafter he was promoted to the post of Sr.D/M(C) and joined at Agartala and after serving for 6 months at Agartala again posted back to Shillong and still continuing as Sr.D/M(C) at Shillong.

3. Learned counsel for the applicant submitted that the applicant while working as Sr.D/M(C), in the office of the MgCD, Shillong, one office order No.32 of 2017/DDG(HQ)ER dated 25.05.2017 was issued whereby the applicant has been transferred from MgCD Shillong to GCD-L Guwahati without considering the pending representations dated 16.01.2019 and 02.02.2019 submitted by the applicant on the ground of his ailing mother.

4. Learned counsel for the applicant further submitted that by the same impugned transfer order dated 25.05.2017, one Smti Naorem Hemabati Devi Sr,Draughtsman who has been transferred and posted from Imphal to Shillong against one of the 2 vacant post of Sr.Draughtsman. However, Smti.Naorem Hemabati Devi

submitted a representation to the competent authority on 02.02.2019 showing her personal difficulties and domestic problems for re-consideration of her posting at CPWD Imphal.

5. Learned counsel for the applicant submitted that the respondent No.4 Smti Naorem Hemabati Devi, who is also transferred and posted from Manipur Central Division-1, Imphal to MgCD, Shillong in one of the vacant post, and in this respect she has submitted a representation on 02.02.2019 to the Deputy Director General(ER), and prayed for posting her at Imphal, as such it would not be difficult on the part of the respondents to accommodate the applicant at Shillong.

6. In view of the above, without going into the merits of the case and for the ends of justice, I direct the Respondent authorities to dispose of the pending representations dated 16.01.2019 and 02.02.2019 by passing

a reasoned and speaking order within a period of 3 months from the date of receipt of this order.

7. It is made clear that the decision so arrived by the respondent authorities, shall be communicated to the applicant forthwith. Till disposal of the representation status quo as on today shall be maintained.

8. Accordingly, O.A. is disposed of at the admission stage itself. No order as to costs.

(N.NEIHSIAL)  
MEMBER(A)

(MANJULA DAS)  
MEMBER(J)

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