

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **26th** day of **September**, 2019

Present :

Hon'ble Ms. Ajanta Dayalan, Member-A**Hon'ble Mr. Rakesh Sagar Jain, Member-J**

Original Application No.330/00996/2019

Narendra Kumar Jaiswal, a/a 59 years, S/o Late Bhagwati Prasad Jaiswal, R/o H. No.M-682, Keshav Puram, Awas Vikash-I, Kalyanpur, District – Kanpur - 208017.

.....Applicant.

By Advocate –Shri Ajay Rajendra

V E R S U S

1. Union of India, through, the Secretary, Ministry of Finance and Revenue, New Delhi.
2. The Commissioner, Central Goods, Service Tax and Central Excise (Audit) Commissionerate, 117/7 Sarvodaya Nagar, Kanpur - 208005.
3. The Principal Chief Commissioner of Central Excise and Service Tax, Lucknow Zone, 7-A, Ashok Marg, Lucknow.

..... Respondents.

By Advocate : Shri L.P. Tiwari

O R D E R

By Hon'ble Ms. Ajanta Dayalan, Member-A :

Heard Shri Ajay Rajendra, counsel for the applicant and Shri L.P. Tiwari, counsel for the respondents.

2. Learned counsel for the applicant states that this OA is challenging the transfer order dated 16.07.2019 (Annexure-A-1) transferring the applicant from Kanpur to Varanasi. He states that the applicant is going to retire in November 2020 and remaining period of service is hardly one year and two months prior to his superannuation. He also states that transfer is in violation of transfer

Policy Para 12 V-(b). He has, however, not annexed the whole transfer policy in the OA.

3. Learned counsel for the respondents states that vide impugned order dated 16.07.2019 (Annexure-A-1, the applicant has already been relieved on 22.07.2019 (Annexure-A-2). Hence, there is no question of continuing in the same place at this stage.

4. At this stage, learned counsel for the applicant states that the applicant has made a representation dated 17.07.2019 (Annexure-A-3), which is still pending. He further states that he will be satisfied in case a direction is given to the respondents to consider and decide the representation of the applicant dated 17.07.2019 (Annexure-A-3) in a time bound manner. Learned counsel for the respondents has no objection to this limited prayer of the applicant.

5. In view of the limited prayer made by the counsel for the applicant and no objection from the respondents' counsel, we direct the competent authority amongst the respondents to consider and decide the representation of the applicant dated 17.07.2019 (Annexure-A-3), by passing a reasoned and speaking order within a period of four weeks from the date of receipt of certified copy of this order. The order so passed shall be communicated to the applicant.

6. It is made clear that this order shall not be construed as any expression or opinion on the merits of the case.

7. In view of the above direction, the OA is disposed off. No costs.

Member-J

Member-A

RKM/