

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00645/2019
Chandigarh, this the 02nd day of July, 2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

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Balwinder Singh aged 58 years S/o Sh. Jagir Singh, Employee Code No. 111176, working as Income Tax Inspector, Office of Commissioner, Income Tax, Leela Bhawan, Patiala, resident of House No. 113, Urban Estate, Phase-I, Patiala (Group C- - 140602.
....Applicant

(Present: Mr. A.K. Walia, Advocate)

Versus

1. Union of India through Secretary to Govt. of India, Ministry of Finance, Rajpath Marg, E-Block, Central Secretariat, New Delhi – 110011.
2. The Principal Chief Commissioner of Income Tax (NWR) Aayakar Bhawan, Sector 17-E, Chandigarh – 160017.
3. The Commissioner of Income Tax, Leela Bhawan, Patiala – 140001.

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Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Applicant is aggrieved against the order dated 07.06.2019 (Annexure A-1) whereby he has been transferred from Patiala to Chandigarh.
2. Heard.
3. Learned counsel argued that the applicant was transferred to Patiala only 1 ½ years ago. He submitted that the applicant has only two years of service left to superannuate and his is a couple case as his wife is also working as Staff Nurse in Patiala. He argued that these factors have not been considered by the respondents

before transferring him and a general order has been issued yesterday to relieve all the employees, who have been transferred. He further submitted that the applicant has also submitted a representation dated 10.06.2019 (Annexure A-4), taking all the grounds, but the same has not been replied till date. He suffered a statement at the bar that the applicant would be satisfied if a direction is issued to the respondents to decide his pending representation within a stipulated period.

4. Issue notice to the respondents.

5. At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He does not object to the disposal of the O.A, in the above terms.

6. In the wake of above, the O.A. is disposed of, in limine, with a direction to the respondents to take a call and decide the indicated representation (Annexure A-4) of the applicant, in accordance with law and transfer policy, by passing a reasoned and speaking order, within a period of two weeks from the date of receipt of a copy of this order. The order so passed be duly communicated to the applicant. Till then, the respondents are directed to allow the applicant to continue at the present place of posting.

7. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 02.07.2019

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