

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original application No.040/00265 of 2019

Date of Order: This the 20th day of August 2019

HON'BLE MRS.MANJULA DAS, JUDICIAL MEMBER

Mrs.Karabi Das, aged 53 years
W/O Sri Pankaj Deb
Working as Superintendent,
Customs Preventive Force, Numaligarh,
Dimapur Division
Shillong Customs(Preventive)
Commissionerate, Government of India
R/O-House No.535, Station Road,
Opposite to Dr.Bina Hazarika Residence,
P.O.& District-Golaghat-785621, Assam

...Applicant

By Advocates: Sri Rakesh Dubey and Sri R.K. Mour

-Versus-

1. Union of India
Ministry of Personal
Public Grievances and Pensions
(Department of Personal Training), North Block,
New Delhi-110001, India
Represented by its Secretary to the Government of India,
Personal, Public Grievances and Pensions
(Department of Personal Training).
2. The Secretary
Department of Revenue,
Ministry of Finance, Government of India,
North Block, New Delhi-110001.

3. The Chief Commissioner,
Goods and Service Tax & Customs,
Guwahati Zone, GST Bhawan, 5th Floor
Kedar Road, Guwahati-781001.
4. The Joint Commissioner,
Goods And Service Tax & Customs,
Guwahati Zone, GST Bhawan, 5th Floor,
Kedar Road, Guwahati-781001.

... Respondents

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

The instant petition has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs.

“8.1 That the Hon’ble Tribunal may graciously be pleased to pass an order of quashing impugned Establishment Order No.31/2019 dated 14.8.2019, so far it relates to the transfer of the applicant (Annexure-2) declaring to the effect that the same is illegal, arbitrary and/or not sustainable in law and facts and consequently and/or pass an order directing the respondents to retain the applicant in the present place of posting/work and/or to pass necessary order to post the applicant nearby area of the Numaligarh Refinery Complex, Golaghat, wherein her husband is posted/working.

(ii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicant along with the costs of litigation.”

2. At the outset of moving the instant O.A., Sri Rakesh Dubey, learned counsel appearing on behalf of the applicant submits that the applicant may be granted liberty to file a comprehensive representation which may be considered and disposed of by the competent authority within a time. He also suggests that till disposal of the comprehensive representation, applicant be allowed to work in her present place of posting at Numaligarh.

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 issuing notice to the respondents, I direct the applicant to make a comprehensive representation before the appropriate authority within a period of 15 days from the date of receipt of a copy of this order. On receipt of such, the respondent authority shall consider and dispose of the said representation within a period of 3 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. Till such time, applicant shall not be disturbed from her present place of posting i.e. Numaligarh, Dimapur Division, Shillong Customs (Preventive) Commissionerate.

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

(MANJULA DAS)
MEMBER(J)

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