

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01058/2019

Date of order: 27.8.2019



Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Brijesh Kumar Singh,
Aged about 33 years,
Son of Ram Akbal Singh,
Resident of at QR-AB-49/3,
Burnpur Gurudwara Road,
Post Office - Burnpur,
Police Station - Hirapur,
District - Burdwan,
Pin Code - 713325,
West Bengal.

.... Applicant

- V E R S U S -

1. Union of India,
Service through the Secretary,
Ministry of Steel,
Government of India,
Udyog Bhawan,
Dr. Maulana Azad Road,
New Delhi,
Pin Code - 110 001.
2. The Chief Executive Officer,
SAIL, IISCO Steel Plant,
Burnpur, Post Office - Burnpur,
Police Station - Hirapur,
District - Burdwan,
Pin Code - 713325,
West Bengal.
3. The Executive Director (P & A),
SAIL, IISCO Steel Plant,
Burnpur,
Post Office - Burnpur,
Police Station - Hirapur,
District - Burdwan,
Pin Code - 713325,
West Bengal.

A handwritten signature in black ink, appearing to read "Brijesh".

4. The General Manager,
(BOF), SAIL,
IISCO Steel Plant,
Burnpur,
Post Office – Burnpur,
Police Station – Hirapur,
District – Burdwan,
Pin Code – 713325,
West Bengal.
5. The Dy. General Manager,
(BOF), SAIL, IISCO Steel Plant,
Burnpur, Post Office – Burnpur,
Police Station – Hirapur,
District – Burdwan,
Pin Code – 713325,
West Bengal.

... Respondents

For the Applicant : Mr. A. Banerjee, Counsel

For the Respondents : None

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- i. That Your Lordship may graciously be pleased to direct the respondents herein to consider the representation dated 4.2.2019 served before them and also be pleased to direct respondent authorities to transfer the applicant from IISCO Steel Plant, SAIL, Burnpur, West Bengal to IFICO Refactory Unit, SAIL, Ramgarh, Jharkhand on spouse ground in terms of the Office Memorandum being F. No. 28034/9/2009-Estt. (A) Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) dated 30.9.2009;
- ii. Any other reliefs which this Hon'ble Tribunal deems fit and proper."
2. Heard Ld. Counsel for the applicant. Examined documents on record. Affidavit of service is taken on record.
3. The submissions of the applicant, as made through his Ld. Counsel is that the applicant is an employee of Steel Authority of India Limited, who is posted at Burnpur, West Bengal, but his spouse is posted as a

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Judicial Assistant in the Civil Court of Ramgarh at Jharkhand. The applicant represented to the respondent authorities seeking his transfer to the IIFICO, Refractory Unit, SAIL at Ramgarh, Jharkhand on the strength of O.M. dated 30.9.2009 of DOP&T.

As the respondent authorities are yet to decide on the same, the applicant has approached the Tribunal praying for the aforementioned relief.

4. Although the affidavit of service is on record, none appears for the respondents. Hence, Rule 16(1) of the Central Administrative Tribunal (Procedure) Rules, 1987 is invoked.

5. Without entering into the merits of the matter, we would direct the respondent No. 3, or any other competent authority, to examine the contents of the representation dated 4.2.2019 (Annexure A-4 to the O.A.) and decide on the same in accordance with law. The decision should be conveyed in the form of reasoned and speaking order to the applicant thereafter. The exercise may be completed within a period of 12 weeks from the date of receipt of a copy of this order.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP