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CENTRAL ADMINISTRATIVE TRIBUNAL
.PRINCIPAL BENCH, NEW DELHI.

OA-98/2003

New Delhi this the 10th day of January, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

Shri Brij Bhushan,
R/o B-7/12, Lekha Nagar,
Roorke Road, Meerut Cantt., Applicant
(through Sh. VPS Tyagi, Advocate)

Versus

1. Union of India (through Secretary)
Ministry of Defence, South Block,
New Delhi.
2. The Financial Advisor (Defence Services)
Govt. of India, Ministry of Defence,
Finance Division, New Delhi.
3. The Controller General of Defence
Accounts, West Block-V,
R.K. Puram, New Delhi.
4. The Principal Controller of
Defence Account(SC),
Poona.
5. The Controller of Defence
Accounts (Army),
Meerut Cantt.
6. Sh. Mayank Sharma working as
Dy. CGDA in the office of
CGDA, R.K. Puram,
West Block-V, New Delhi. Respondents

ORDER (ORAL)
Hon'ble Dr. A. Vedavalli, Member(J)

Heard.

2. The applicant Brij Bhushan working as Auditor under the respondents is aggrieved by the impugned order dated 31.12.2002 (Annexure A-1) by which he was relieved of his duties with effect from 31.12.2002 (AN) with a direction to report for duty in

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the office of L.A.O., CAD, Pulgaon. He seeks the following reliefs in this OA:- .

- "(a) That this Hon'ble Tribunal may graciously be pleased to quash and set-aside the impugned transfer order (A-1) and direct the Respondents to post the applicant back in the same office from where he has been transferred.
- (b) That alternatively the respondents be directed to post the applicant temporarily at some nearby stations viz Muradnagar, Roorkee or Delhi till academic session is over.
- (c) Any other relief deemed just and proper in the facts and circumstances of the case be awarded in favour of the applicant against the respondents.
- (d) Award cost of the application in favour of the applicant against the Respondents."

3. When the matter came up for admission today, learned counsel for the applicant submits that a representation dated 1.1.2003 (Annexure A-6) submitted to the respondents regarding his grievances is still pending and has not been disposed of as on date.

4. On perusal of the OA and the material papers and documents placed on record and on hearing the learned counsel for applicant, the OA is being disposed of at the admission stage itself without

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giving notice to the respondents with the following directions:-

- (i) Respondents are directed to examine the aforesaid representation on its merits treating the grounds taken in the present OA as additional grounds in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and reasoned order in accordance with law within 15 days from the date of receipt of a copy of this order under intimation to the applicant.
- (ii) If any grievance survives further thereafter, applicant is granted liberty to approach this Tribunal again in appropriate fresh original proceedings, if so advised, in accordance with law.
- (iii) Registry is directed to send a copy of this OA alongwith a copy of this order to the respondents.

Dasti.



(Dr. A. Vedavalli)
Member (J)