CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH,MUMBAI

ORIGINAL APPLICATION No.210/00513/2018

Dated this Friday, the 11th October, 2019

CORAM: R.VIJAYKUMAR, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Pravin Shamrao Mahekar, Age 55 years,
presently working as Assistant Foreman (AWS),
in the office of the General Manager Naval Armament Depot,
Karanja, Taluka Uran, District Raigad, Pin 400 704
and residing at Room No.9, 3rd Floor, D-Wing, Sonu Apartment,
Kamtha, Uran District Raigad. **- Applicant**
(By Advocate Shri Sai Kumar Ramamurthy)

VERSUS

1. Union of India Through the Secretary, Ministry of Defence, Government of India, South Block, New Delhi 110 011.

2. The Chief of Naval Staff, Naval Headquarters, Sena Bhavan, New Delhi 110 011.

3. The Director of Civilian Personnel,
Directorate of Civilian Personnel (Navy),
Integrated Headquarters, Ministry of Defence, D-II Wing,
Sena Bhavan, New Delhi 110 001.

4. The Director General of Naval Armament,
Directorate General of Naval Armament,
Integrated Headquarters, Ministry of Defence (Navy),
R.K.Puram, Sector 1, New Delhi 110 066.

5. The Flag Officer, Commanding in Chief, Headquarters,
Western Naval Command, INS Angre,
Shahid Bhaghat Singh Road, Mumbai 400 023.

6. The Chief General Manager, Naval Armament Depot,
Gun Gate, Naval Dockyard, Mumbai 400 023.

7. The General Manager, Naval Armament Depot, Karanja,
Taluka Uran, District Raigad, Pin 400 704. **- Respondents**

(By Advocate Shri A.A.Garge)

ORAL ORDER
Per : R.VIJAYKUMAR, MEMBER (A)

Heard Shri Saikumar Ramamurthy, learned counsel for the applicant and Shri A.A.Garge, learned counsel for the respondents.

2. This application has been filed on 27.07.2018 under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

> "8(a). That this Hon'ble Court be pleased to quash and set aside the transfer order dated 15th June, 2018 (Annexure "A-1"), the rejection of the representation vide order dated 19th July, 2018 (Annexure "A-2") and the Movement Order dated 19th July, 2018 (Annexure "A-3");
>
> 8(b). That this Hon'ble Court be pleased to direct that the Applicant be continued in service as Foreman (AWS) in the NAD, Karanja till his superannuation in service from the said organization and the Applicant be allowed to work on the said post, discharge the duties and responsibilities of the said post and be paid his emoluments on the said post of Foreman (AWS) and grant him all other and further consequential service benefits flowing therefrom;
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> 8(c). Such other and further order or orders be passed as the facts and circumstances of the case may require;
>
> 8(d). That costs of this Original Application be provided for."

3. The applicant was transferred in the promoted capacity of Foreman (Group B, Gazetted) which he acquired on 2012 in the merged cadre, to the Vishakhapatnam Branch of

the respondents in the same capacity in orders dated 15.06.2018 (Annexure A-1). The applicant joined duty on 22.10.2018 and meanwhile, filed representations dated 30.06.2018 (Annexure A-9) and 02.07.2018 (Annexure A-10) which set out his request in detail for which the respondents have given him a reply in very brief terms in their orders dated 19.07.2018 (Annexure A-2) and then followed with a movement order of the same date striking him off the strength of the organization at Mumbai and directing him to report at Vishakhapatnam by 13.08.2018.

4. The representation filed by the applicant has been perused and it is seen that he has raised a large number of issues on his service, conditions and circumstances of transfer and for which, the orders of the respondents pay no attention while dealing with the representation in a summary manner.

5. In these circumstances and considering the arguments of the applicant, it is appropriate that the respondents consider the representations of the applicant which have been filed with detailed arguments and pass

reasoned and speaking orders within a period of six weeks from the date of receipt of a certified copy of this order and communicate these orders to the applicant within two weeks thereafter.

6. It is made clear that this Tribunal has not expressed any views on the merits of the claim of the applicant and also on the legal aspects of the case.

7. Accordingly, the OA is disposed of in the above terms with no order as to costs.

(Ravinder Kaur)
Member (Judicial)

(R. Vijaykumar)
Member (Administrative)

*kmg**

JD 22/10/19