

(2021) 06 CAT CK 0034

In the Central Administrative Tribunal

Case No : Original Application No. 021, 380 Of 2021

B. Chandran

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 03-06-2021

Acts Referred:

Citation : (2021) 06 CAT CK 0034

Hon'ble Judges : Ashish Kalia, Member (J); B.V. Sudhakar, Member (A)

Bench : Division Bench

Advocate : Dr. A. Raghu Kumar, M. K. Rajitha

Final Decision : Disposed Of

Judgement

B.V. Sudhakar, Member A

Through Video Conferencing:

1. Heard Dr. A. Raghu Kumar, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Central Government Standing Counsel for the respondents.

2. The applicant is working as Assistant Director in the respondent's organization. He has been transferred from Krishna Godavari Basin Office, Hyderabad to CSRO, Coimbatore on 19.02.2021. The representation made on 23.02.2021 against the transfer was rejected on 19.04.2021. The respondents have issued an order dated 31.05.2021, relieving the applicant from 04.06.2021 with instructions to report for duty at the new place of posting i.e. PSD, CWC, Kadapa .

3. The contentions of the applicant are that he has got less than 2 years of service left and the second wave of Covid is on and, therefore, he claims

that his life is at risk.

4. Learned counsel for the respondents submitted that the respondents are contemplating to transfer the applicant to Kadapa, which comes under

Coimbatore Division. He submitted that even going to Kadapa in the present Covid situation would be difficult. Smt. K. Rajitha, learned Senior

Standing Counsel stated that in view of the ensuing monsoon season, there is need for an officer at Kadapa.

5. In view of the above, we direct the applicant to submit a comprehensive representation to the respondents, covering the grounds on which, he

should be retained at Hyderabad, within a period of one week from the date of receipt of a copy of this order. After receiving the representation, the

respondents shall dispose of the same in accordance with the rules and law within a period of four weeks thereafter, by issuing a speaking and

reasoned order. Till the representation is disposed of, the applicant shall be allowed to work in Hyderabad office. We have seen that the impugned

order is cryptic and does not provide any ground for rejecting the request of the applicant. Any administrative order which is non-speaking, is invalid.

Hence, the above direction.

6. With the above direction, the OA is disposed of at the admission stage. No order as to costs.