
(2022) 06 CAT CK 0053

In the Central Administrative Tribunal

Case No : Original Application No. 580 Of 2022

Nafees Ahmad

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 29-06-2022

Acts Referred:

Citation : (2022) 06 CAT CK 0053

Hon'ble Judges : Pratima K Gupta, Member, J

Bench : Single Bench

Advocate : A.K. Srivastava, Chakrapani Vatsyayan

Final Decision : Disposed Of

Judgement

Pratima K Gupta, Member (J)

I have joined this Bench online through video conferencing.

2. In the instant original application, the applicant is aggrieved by transfer order dated 09.06.2022 whereby he has been transferred from Kanpur Central to Achalda Railway Station. The learned counsel for the applicant presses for the staying the transfer order on the ground that the daughter of the applicant is to get married shortly. He further submits that though the date for the marriage is not yet fixed, however the same is likely to be fixed within week's time.

3. On the other hand, learned counsel for the respondents opposes the claim of the applicant and submits that the applicant has not exhausted the alternate remedy of making representation, as provided in the Administrative Tribunals Act, hence the OA is liable to be dismissed being premature.

4. I have heard learned counsel for the parties.

5. As the only ground whereby the learned counsel for the applicant is seeking stay of the order dated 09.06.2022 in respect of the applicant is that his daughter is to get married in near future. Accordingly, I feel it appropriate that

the applicant be permitted to file a representation before the competent authority amongst the respondents against the order dated 09.06.2022 explaining his circumstances within a period of two weeks from today and the respondents / competent authority shall consider the same sympathetically and dispose of the same by a reasoned and speaking order within four weeks thereafter. The order so passed shall be communicated to the applicant forthwith.

6. It is made clear that till the representation of the applicant is decided, the impugned order dated 09.06.2022 shall not be given effect to only in respect of the applicant.

7. With the above directions, the OA is disposed off.

8. No order as to costs.