

(2024) 03 CAT CK 0015

In the Central Administrative Tribunal

Case No : Original Application No. 200, 195 Of 2024

Nitya Mandal, S/o Shri Dhirendar Nah Mandal

APPELLANT

Vs

Comptroller & Auditor General Of India, Pocket-9, Deen Dayal
Upadhyaya Marg, New Delhi ? 110124 & Ors.

RESPONDENT

Date of Decision : 08-03-2024

Acts Referred:

Citation : (2024) 03 CAT CK 0015

Hon'ble Judges : Akhil Kumar Srivastava, Member, J; Kumar Rajesh Chandra,
Member A

Bench : Division Bench

Advocate : Manoj Sharma, Anuja Sharma

Final Decision : Disposed Of

Judgement

Akhil Kumar Srivastava, Member, J

1. Through this Original Application, the applicant is challenging the order dated 01.03.2024 (Annexure A-1), so far as it relates to the applicant, whereby he has been transferred from PWD Division No.2 District – Bilaspur to PWD Setu Division, Ambikakpur.

2. Learned counsel for the applicant submits that the impugned transfer order relegates the applicant to lower division and in his option for choice places, respondent No.3, who is junior to the applicant and also not notified as an officer for annual transfer 2024, has been accommodated, which is in violation of the transfer policy dated 20.03.2015 (Annexure A-3). The applicant has preferred a representation dated 04.03.2024 (Annexure A-7) and requested the authorities to accommodate the applicant as per his first choice option place in a higher Division or to cancel the transfer order, which is still pending with the authorities.

3. Learned counsel for the applicant further submits that this Original Application may be disposed of at this stage with a direction to the respondents to consider and decide the applicant's representation dated 04. 03.2024 and till such time

the representation is decided, the impugned transfer order, qua the applicant, may be kept in abeyance.

4. In view of the limited prayer made by learned counsel for the applicant, we dispose of this Original Application at the admission stage itself with a direction to the competent authority to consider and decide the representation of the applicant dated 04.03.2024 (Annexure A-4) by passing a reasoned and speaking order. Till such time the representation of the applicant is decided, the operation of the impugned transfer order dated 01.03.2024 (Annexure A-1), so far as relates to the applicant, shall not be given effect to.