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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application Nos. 3142/2001

New Delhi, this the 19th day of November, 2001

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)  
HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

Mrs. Gurmeet Kaur,  
W/o Shri Jarnail Singh,  
R/o 64, Ankur Apartments,  
7, IP Extension, Near Mother Dairy,  
Delhi-110 092.

-Applicant  
(By Advocate: Shri S.K. Sawhney)

Versus

1. Union of India through  
Ministry of Urban Development and  
Poverty Alleviation, Nirman Bhawan,  
New Delhi.
2. Director (Admn.), CPWD,  
Office of Director General (Works),  
Nirman Bhawan, New Delhi.

-Respondents

ORDER (Oral)

By Hon'ble Shri V.K. Majotra, Member (A)

Heard Shri S.K. Sawhney, learned counsel of  
the applicant.

2. The applicant has challenged Annexure A-1 dated 28.9.2001 whereby the applicant has been transferred from the <sup>16</sup> office of SA III and posted to the office of SA (CRPF) under CA (NR) on diversion of a vacancy to that office. Learned counsel contended that the applicant has been transferred under a different Pay & Accounts Office during the last two years of her service and her representations against the <sup>16</sup> said transfer made on <sup>16/9/</sup> 26/28.9.2001 (Annexure A-4A3) <sup>16</sup> have remained unresponded. Learned counsel also stated that the transfer is against the instructions of DOPT as well and has been made with a



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mala fide intention. Learned counsel stated that as the applicant is left with a short period before her retirement, her transfer under a different PAO shall cause lot of hardship and harassment towards finalisation of her retirement benefits. Learned counsel also relied on Karan Singh Vs. Union of India 1987 (2) ATJ 457 and J.D. Gupta Vs. Union of India 1993 (1) ATJ 476 wherein as the applicants had been transferred when they had less than two years of service, directions were issued to review the transfer order taking into consideration the hardships caused to the applicants.

3. In the facts and circumstances of the case, in our view ends of justice will be duly met if the respondents are directed to consider reviewing applicant's transfer, so that her PAO does not change within the short time available with the applicant before she superannuates. We direct accordingly. Respondents shall not operate upon Annexure A-1 whereby applicant had been transferred under a different PAO.

4. The OA is disposed of in the above terms. No costs.

Kuldeep  
(Kuldeep Singh)

Member (J)

V.K. Majotra  
(V.K. Majotra)

Member (A)

cc.