

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.794/2001

Wednesday, this the 28th day of March, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Santri Prasad
S/O Shri C. Prasad
R/O H.No.4087, Type-V,
N.H.-4, Faridabad (Haryana).

...Applicant.

(By Advocate: Shri P.S.Mahendru)

VERSUS

Union of India through

1. Secretary,
Govt. of India,
Ministry of Agriculture,
Krishi Bhawan,
New Delhi.
2. The Agricultural Marketing Advisor,
Govt. of India,
Ministry of Agriculture,
Dept. of Agriculture & Cooperation,
Directorate of Marketing & Inspection,
N.H.-4, Faridabad.

..Respondents.

O R D E R (ORAL)

By Hon'ble Shri Justice Ashok Agarwal:

An order of transfer of the applicant, who is working as a Senior Marketing Officer, from Faridabad to Lucknow issued on 8.12.2000 at Annexure A-1, is impugned in the present OA. It cannot be disputed that the services of the applicant are transferable. Aforesaid order, we find, cannot be termed as arbitrary and malafide or irrational so as to warrant interference in the present OA merely because the normal tenure of posting has been fixed for three years in the revised guide-lines. Present order of transfer which is issued after a period of one and half years cannot be successfully assailed on the aforesaid ground alone

W.L.

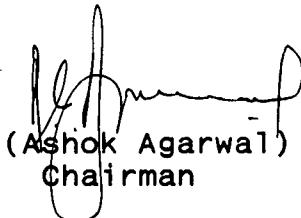
(2)

similarly merely because one Sh. A.K.Srivastava who was posted at Rajkot is being posted at Faridabad on promotion, will not justify an inference that applicant is being transferred out merely in order to adjust the aforesaid Sh. A.K.Srivastava. Impugned order of transfer, we find, has been passed in exigencies of service. It will, in the circumstances, not be proper to interfere with the same.

2. Present OA in the circumstances, we find, is devoid of merit and the same is summarily rejected. No order as to costs.



(S.A.T. Rizvi)
Member (A)



(Ashok Agarwal)
Chairman

/sunil/