

(S)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.1813/99

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

New Delhi, this the 22nd day of March, 2000

Kiran Pal
Gangman
s/o Shri Balbir
r/o Shanker Garden
Shahdara
Delhi.

Presently posted at Loni Rly.
Station, Delhi.

... Applicant

(None)

Vs.

1. Union of India through
General Manager
Northern Railway
Baroda House
New Delhi.

2. Assistant Engineer
Northern Railway
Baraut(UP).

3. Assistant Engineer (AEN)
Northern Railway
Shamli
Uttar Pradesh.

... Respondents

(By Shri D.S.Jagotra, through Shri M.K.Bhardwaj,
Advocate)

O R D E R (Oral)

By Reddy, J.-

None appears for the parties either in person or through their counsel except the aforesaid proxy counsel on behalf of the respondents to inform that the Advocates are abstaining from Courts. As the pleadings in this case are complete, this case had been ordered to be listed for admission today. We have perused the pleadings on record. As this matter pertains to transfer of the applicant we proceed to dispose of the case on the basis of the available pleadings on record.

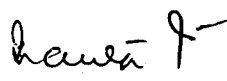
(Signature)

(10)

2. The order under challenge is the order of transfer dated 22.7.1999, from Shamli to Jind within the same zone. The applicant has not filed the order of transfer. He filed Annexure-A1, dated 27.7.1999, which is an order of Last Pay Certificate. In the reply it is stated that the applicant was transferred on 22.7.1999. Prior to his transfer, he was suspended in view of the pendency of a criminal case against him. The order of suspension has been revoked and the applicant has been transferred. It is stated in the counter that the transfer has been effected on administrative grounds.

3. We have gone through the pleadings carefully. We do not find any valid ground that has been raised by the applicant against the order of transfer. The only grievance of the applicant is that his transfer would prejudice him to defend the criminal case pending against him. This objection cannot be accepted. It is always open to the applicant for applying permission to appear before the criminal court whenever his presence is necessary, to defend his case. It is not the case of the applicant that he was not liable to be transferred to Jind. It is well settled that an employer is entitled to place the employee wherever his services are required. This court will not interfere with the transfer order.

4. In view of the above, the OA is dismissed at the admission stage itself. No costs.


(SHANTA SHATRY)
MEMBER(A)


(V. RAJAGOPALA REDDY)
VICE-CHAIRMAN(J)

/rao/