Central Administrative Tribunal
Principal Bench

New Delhi, dated this the 27th August, 2001

(20)

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. O.A. No. 2239 of 1999

Shri Surendra Kumar Oberoi,
S/o Shri J.C. Oberoi,
R/o B-30/2, Mahatma Gandhi Road,
Adarsh Nagar,
Delhi-110033. .. Applicant

(None appeared)

Versus

1. Union of India through
the Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan,
New Delhi.

2. Chief Executive Officer,
Prasar Bharati,
Mandi House, New Delhi.

3. Director,
Doordarshan Kendra,
Parliament Street, New Delhi.

4. Mr. M.B. Pahari,
Dy. Director General,
Doordarshan,
Mandi House, New Delhi. .. Respondents

(By Advocate: Shri S.M. Arif)

2. O.A. No. 2603 of 1999

S.K. Oberoi,
S/o Shri J.C. Oberoi,
R/o B-30/2, Mahatma Gandhi Road,
Adarsh Nagar,
Delhi-110033. .. Applicant

(None appeared)

Versus

1. Union of India through
the Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi.

2. Chief Executive Officer,
Prasar Bharati,
Mandi House, New Delhi.

3. Director,
Doordarshan Kendra,
Parliament Street, New Delhi.

(21)

4. Central Administrative Tribunal,
Principal Bench, Faridkot House,
New Delhi.

5. Central Administrative Tribunal,
Bangalore Bench,
Bangalore. .. Respondents

(By Advocate: Shri S.M. Arif)

ORDER (Oral)

S.R. ADIGE, VC (A)

Heard.

2. In O.A. No. 2239/99 applicant impugns respondents' order dated 13.10.99 transferring him from New Delhi to Itanagar, which applicant states is in violation of respondents' own transfer policy.

3. An interim order was passed by the Tribunal restraining respondents from implementing the aforesaid transfer order till the disposal of the O.A. but that interim order has subsequently been set aside by the Delhi High Court on 9.8.2001 in CMP-2513/2000 and CWP-1498/2000.

4. Shri Arif states that applicant has been relieved from Delhi to join the new assignment.

5. A perusal of the grounds taken in the O.A. reveal that none of them are tenable in the light of the order of the Full Bench of the Tribunal dated 5.7.2001 in O.A. No. 883/2000 Shri Pritpal Singh Vs. Union of India & other connected cases in which it has been held that Government employees who

have been sent to Prasar Bharati Corporation on deputation or otherwise can be transferred by the Corporation in terms of the provisions of the Act. Under the circumstances the O.A. warrants no interference. It is dismissed.

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6. As regards OA-2603/99 applicant seeks a direction that order dated 16.8.99 of CAT Bangalore Bench in O.A. No. 914/98 (Annexure A-1) holding that all employees of Ministry of Information & Broadcasting working in Prasar Bharati are deemed to be on deputation with Prasar Bharati be overruled and set aside.

7. The aforesaid order dated 16.8.99 in OA-914/98 was by a Division Bench of this Tribunal. It is not within the jurisdiction of a a Division Bench such as ours which has coordinate jursidiction to quash and set aside the orders passed by another coordinate Division Bench of the Tribunal.

8. That apart it is now the CAT, Full Bench order dated 5.7.2001 in Pritpal Singh's case (supra) which holds the field.

9. Under the circumstances, O.A. No. 2603/99 is also dismissed.

10. Both O.As are, therefore, dismissed. No costs.

11. Let a copy of this order be placed in each case record.

(Dr. A. Vedavalli)
Member (J)

(S.R. Adige)
Vice Chairman (A)

karthik

True Copy
Attested
Section Officer
Calc-II
27/8/2001