

Central Administrative Tribunal Principal Bench: New Delhi

OA No. 2857/99

New Delhi this the 20st day of January 2000 Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)

Shri M.L. Meena, S/o Shri Jiwan Lal Meena, R/o H.No. 3, Shyam Nagar, New Delhi-110020

...Applicant

(By Advocate: Shri M.K.Gupta)

## Versus

- Council of Scientific & Industrial Research, through its Director General, Anusandhan Bhawan, Rafi Marg, New Delhi-11001
- 2. Central Road Research Institute, through its Director, Delhi Mathura Road, New Delhi-110 020

...Respondents

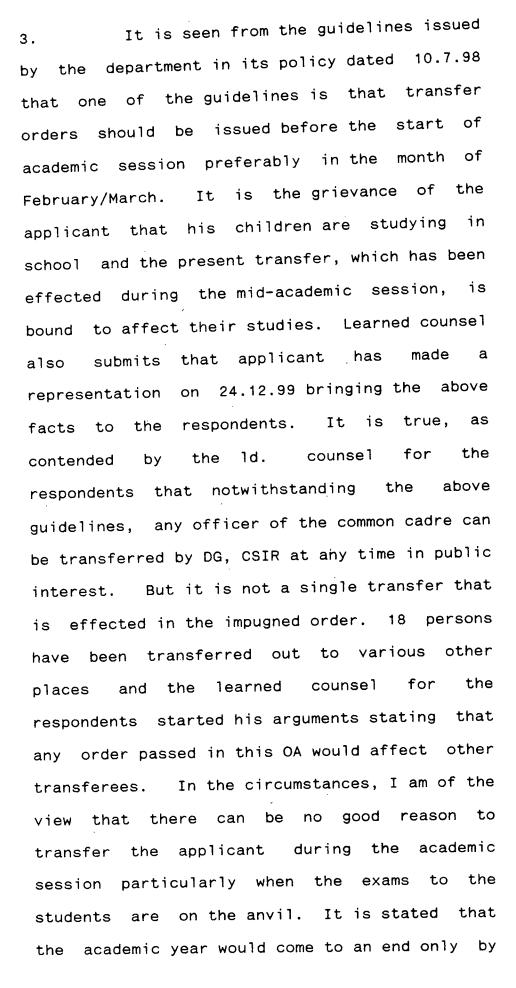
(By Advocate: Shri Manoj Chatterjee)

## ORDER (Oral)

The order of transfer dated 23.12.99 is impugned in this OA. The applicant who is working as Administrative Officer/Under Secretary in CSIR in Delhi has been transferred to CMERI, Durgapur, West Bengal. He is directed to join the new place of posting immediately or in any case within one month from the date of issue of the said order.

2. The applicant raises several grounds of attack in the OA including that the transfer is in-violation of the guidelines issued by the department itself. Learned counsel for the respondents, however, refutes the contentions and submits that it lies in the discretion of the employer to order transfer in public interest.







(5)

the 15th of March. The Supreme Court has taken a view in similar matter that it is necessary for the employer to see that the transfers should not be effected during the final examination to the students.

In the circumstances, without going into the merits of the case, I direct that the transfer of the applicant be kept in abeyance till 31stMarch 2000. Learned counsel for applicant submits that the applicant would abide by the order of transfer in joining the new post on or before 01.04.2000. With this direction, the OA is disposed of. No costs.

(V. Rajagopala Reddy) Vice-Chairman (J)

cc.