

Central Administrative Tribunal
Principal Bench

...

O.A. No. 281/1995

New Delhi, this the 17th day of August, 1995

Hon'ble Shri J.P. Sharma, Member (J)

Shri Bhagwan Sharma s/o

Shri RamKaran Sharma,
r/o House No. 2260, Gali No. 171,
Tri Nagar, Delhi-35.

...Applicant

(By Shri R.D.Upadhyaya, Advocate)

Ver sus

1. Director General,
Indian Council of Agricultural Research,
Krishi Bhawan, New Delhi.

2. Secretary,
Indian Council of Agricultural Research,
Krishi Bhawan, New Delhi.

3. Dy. Secretary(Admn.),
ICAR, Krishi Bhawan,
New Delhi.

4. Under Secretary(Admn.),
ICAR, Krishi Bhawan,
New Delhi.

5. Shri S.S.Rana,
Director (P),
ICAR, Krishi Bhawan,
New Delhi.

6. Shri Sodi Singh,
Under Secretary, ICAR,
Krishi Bhawan,
New Delhi.

7. Shri S.R.Katyal,
Section Officer,
Ext. Education Section,
ICAR, Krishi Anusandhan,
New Delhi.

....Respondents

(By Shri R. S. Aggarwal, Advocate)

ORDER (ORAL)

By Hon'ble Shri J.P. Sharma, Member (J)

Heard the learned counsel for the parties. The
applicant has assailed the order dated 25.1.1995 by

which the applicant who was working in R&D Section in the Krishi Bhawan was transferred to Ext. Education Section in the Krishi Anusandhan Bhawan. There are other transfers also in the same order but that is not relevant. The challenge to this order has been made on a number of grounds but relief was not granted to the petitioner and as such he has already joined the transferred post. The Interim order was only to the extent that the applicant who has certain apprehension against the Section Officer Shri S.R.Katyal, the said Section Officer will not write the A.C.R. of the applicant for the period he has been posted by virtue of the order of transfer dated 25.1.1995.

Shri R.S. Aggarwal, counsel for the respondents highlighted the facts referred to in the reply and repelled the apprehension harboured by the applicant.

After going through the pleadings and the arguments advanced and the rejoinder filed by the applicant, the application is being disposed of only on the simple issue ^{from} to remove the doubt / the mind of the applicant that he will not be judged in a proper manner in the discharge of the duties by the Section Officer Shri S.R.Katyal.

Without expressing any opinion about various allegations made by the applicant and without going to the merits of the rival contention of the parties in the pleadings, in the interest of equity and fair play, the application is dismissed with a direction as follows:-

The applicant may be posted in any of the sections

of which Shri S.R.Katyal is not the Section Officer and C.R. for the period the applicant remained posted under the aforesaid Section Officer Shri S.R.Katyal, would be written by an immediate officer of Shri S.R. Katyal and after his posting to another section as said above, C.R. shall be written as per rules prescribed,

The application is, therefore, dismissed accordingly with no order as to costs.

J.P. Sharma
(J.P. SHARMA)
MEMBER (J)

/nka/