

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

ORIGINAL APPLICATION NO. 266/1997

Dated: this the 22nd day of September, 1998

(3)

IN THE MATTER OF :

1. Shri Nandaballabh Pant
son of Shri Heeraballabh Pant
Resident of : G-33, Srinivaspuri
NEW DELHI
working as Assistant Craftsman
2. Shri Mahendra Kumar
son of Shri Jagdish Prasad
Resident of : Bari Mohalla,
HAPUR, District Ghaziabad (U.P.)
working as Assistant Craftsman
3. Shri Babulal
son of Shri Bholanath
Resident of : H. No. 144, Gali No.4
Shakti Vihar
NEW DELHI 110 044
working as Assistant Craftsman
4. Shri Lakhnai
son of Shri Batuk Prasad
Resident of : G-150 Sector-22,
NOIDA (U.P.)
working as Skilled Worker
5. Shri Inder Singh - I
son of Shri Lakhan Singh
Resident of : H-42, Harkesh Nagar
NEW DELHI 110 020
working as Skilled Worker
6. Shri Inder Singh - II
son of Shri Patiya
Resident of : G-506, Srinivaspuri
NEW DELHI
working as Skilled Worker

7. Shri Manjar Illahi
son of Shri Abdul Latif
Resident of : Plot No. 581, Gali No. 1/B
D-Block, Sangam Vihar
NEW DELHI
working as Skilled Worker

8. Shri Banwari Lal
son of Shri Jhunni Lal
Resident of : H-631, Shrinivaspuri
NEW DELHI
working as Skilled Worker

9. Shri Harris
son of Shri Hari
Resident of : H-305, Shrinivaspuri
NEW DELHI
working as Jobber

10. Shri Harish Kumar Rajput
son of Ramchandra
Resident of : E-185, Kidwai Nagar
NEW DELHI 110 022
working as Jobber

11. Shri Sushil Kumar
son of Shri Jaishankar
Resident of : 51-E, Sector-4
Pushp Vihar
NEW DELHI 110 017
working as Jobber

APPLICANTS

□ All the Applicants are working in the

Office of the Development Commissioner (Handicrafts)
Ministry of Textiles, Government of India,
No. 43, Okhla Industrial Estate,
NEW DELHI

Address for the Applicants :

As above

(By Advocate: Shri Praveen Khattar)

Versus

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1. Union of India through
the Secretary to the Govt. of India,
Ministry of Textiles,
Udyog Bhawan,
New Delhi-011.
2. The Development Commissioner(Handicrafts),
Ministry of Textiles,
Govt. of India,
West Block-7, R.K.Puram,
New Delhi-066.
3. The Director(NR)(Admn.III),
Office of the Development Commissioner(Handicrafts),
Ministry of Textiles,
Govt. of India,
West Block-8, R.K.Puram,
New Delhi-066.
4. The Deputy Director,
Office of the Development Commissioner(Handicrafts),
Ministry of Textiles,
Govt. of India,
43, Okhla Industrial Estate,
New Delhi.-020

.... Respondents.

(By Advocate: Shri R. V. Sinha)

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE DR. A. VEDA VALLI, MEMBER (J)

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

Applicants impugn respondents' order dated 25.9.98 (Annexure-A1) transferring certain vacant non-plan posts from the Regional Director Centro, Delhi to Guwahati and Bhopal. Their grievance is that these are promotional posts to which applicants have been aspiring to for a number of years, and by transferring these posts, applicants will loss their promotional opportunities.

2. We have heard applicants' counsel Shri Praveen Khattar and Respondents' counsel Shri R. V. Sinha.
3. Shri Sinha has stated that applicants could

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not be promoted to these posts owing to litigation regarding seniority as a result of which they remained vacant and now a policy decision has been taken to transfer them to Guwahati and Bhopal to strengthen the RDCs there. He has also stated that the transfer of these posts is not permanent. He also stated, upon instruction from the Departmental Representative Shri A.K. Rajzada, Asstt. Director (Tech.) RDC who was present in Court that respondents would be willing ^{to} consider promoting the applicants on the posts scheduled to be transferred.

4. We record this statement and dispose of the OA holding that applicants have no enforceable legal right to compel respondents not to transfer the posts, which is a matter of executive policy and decision. No costs.

A. Vedavalli
(DR. A. VEDAVALLI)
MEMBER(J)

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(S. R. ADIGE)
VICE CHAIRMAN (A).

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