

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

ORIGINAL APPLICATION NO. 266 / 1997

Dated: this the 22nd day of September, 1998

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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 Lakhanlal  
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, Shrinivaspuri  
NEW DELHI  
working as Skilled Worker

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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, Shrinivasपुरी  
NEW DELHI  
working as Skilled Worker
9. Shri Harris  
son of Shri Hari  
Resident of : H-305, Shrinivasपुरी  
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)

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Versus

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1. Union of India through  
the Secretary to the Govt. of India,  
Ministry of Textiles,  
Udyog Bhavan,  
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. VEDAVALLI, 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 lose 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 <sup>to</sup> 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)

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

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