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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

O.A. No. 1115 of 2000

New Delhi, in the 20th day of the October, 2000

Hon'ble Mr. M.P. Singh, Member(A)

1. Shri Viney Kumar Singal
S/o Shri Bachan Lal,
R/o Flat No. 264, Pocket G-5,
Sector-16, Rohini,
Delhi-110085.

..... Applicant

(IN PERSON)

Versus

1. Government of India through
The Secreatry
Delhi Administratiion,
Sham Nath Marg,
Delhi-110034.

2. The Director,
Directorate of Training and Technical Education,
Muni Maya Ram Marg,
Pitampura,
Delhi-110034.

3. The Joint Director
Guru Nanak Dev Polythecnic,
Rohini,
Delhi-110085.

.... Respondents

(By Advocate: Mrs. Sumedha Sharmal)

ORDER (oral)

The applicant has filed this OA under section 19 of Administrative Tribunal Act, 1985 challenging the order dated 27.3.2000 issued by the Principal, Guru Nanak Dev Polytechnic, Sector-15, Rohini, Delhi.

2. It is seen from the records that the applicant was not present on the last hearing. he is not present today also, since it is a transfer matter.I proceed to decide the matter.

3. The applicant was initially appointed as LDC on 15.06.1994 and was posted at Basic Training Centre, Pusa.



(2)

He has transferred to Guru Nanak Dev Polytechnic from ITI Pusa by the orders of the Dy. Director, Directorate of Training and Technical Education (Annex-3). He has now been transferred from Guru Nanak Dev Polytechnic to Deputy Director, Directorate of Training and Technical Education, Pitampura, vide letter dated 27.3.2000. The applicant has represented against his transfer order on 5.5.2000. No reply has been received by the applicant. Aggrieved by this he has filed this OA seeking direction to quash the impugned order and direct the respondents to allow the applicant to join his duty at Guru Nanak Dev Polytechnic, Rohini and has also sought direction to treat the period of absence w.e.f. 13.3.2000 to till date as duty period.

4. Learned counsel for the respondents made a submission that the applicant has been transferred and has been surrendered to Deputy Directorate of Training and Technical Education, Pitampura, in public interest.

5. It is not in dispute that the applicant has the liability to serve in any part of the Union Territory of Delhi. The law laid down by the Supreme Court is that transfer

can be challenged only on two grounds i.e. as follows:-

- (i) Violation of statutory guidelines
- (ii) when it is malafide

6. After careful perusal of the records I do not find that any of the above grounds is covered while transferring the



(3)

applicant. In view of aforesaid reasons, there are no ground to interfere with the impugned order passed by the respondents dated 27.3.2000. Moreover, the applicant has joined his new place of transfer as stated by the Ld. Counsel for respondent.

7. In view of the above reasons the OA is devoid of devoid of merit and is accordingly dismissed. No costs.


(M.P. Singh)
Member(A)

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