

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

OA NO. 2693 OF 2000

NEW DELHI THIS THE 9th DAY OF MAY, 2001.

HON'BLE SHRI KULDIP SINGH, MEMBER(J)

Sh. Mahender Kumar  
H-64/A Gali No.3  
Vijay Chowk, Laxmi Nagar,  
Delhi-2. ....Applicant  
(By Advocate: Shri A.K.Kaushik)

VERSUS

1. Union of India,  
Through General Manager,  
Northern Railway,  
Baroda House., ..Respondent  
New Delhi.  
(By Advocate :Shri R.P.Agarwal)

O R D E R(ORAL)

By Hon'ble Shri Kuldip Singh, Member(J)

The applicant is aggrieved by the transfer order dated 18.12.2000 (Annexure P-1) by which he has been transferred from Ghaziabad to Sonepat on administrative ground and in exigency of service.

2. Learned counsel for the applicant further states that applicant has been transferred at the fag end of his career as only 11 months are left for his Superannuation and as such he is not liable to be transferred in view of the rule contained in annexured P-2 which states that it has been decided that transfer of a staff from one station to another in the same grade should not, as a matter of principle be made within two years of the date of superannuation. But the respondents have passed impugned order of transfer in violation of these instructions.

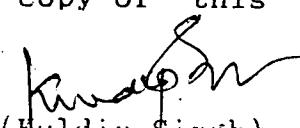


3. Learned counsel for the respondent submits that the applicant has been transferred at his own request (Annexure R-1).

4. However, it was agreed to explore the possibility of posting applicant independently in GZB adjoining station if he makes request.

5. In reply to this, learned counsel for the applicant submits that applicant has already placed a request for cancellation of the transfer order on 16.4.2001 stating that the transfer is against the own policy of the department as well as against instructions (Annexure P-2).

6. On considering this fact of the case, this OA can be disposed of with a direction to the respondent to cancel the transfer order of the applicant and accommodate him by posting somewhere in Ghaziabad. These directions should be implemented within a period of four weeks from date of receipt of a copy of this order. No costs.

  
(Huldipt Singh)  
Member (J)

mahesh