

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/312/2020

HYDERABAD, this the 3rd day of July, 2020



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

Dr. G. Babu, S/o. Ailaiah,
Aged: 54 years, Gr. 'A',
Occ: Assistant Director I/c.,
Regional Ayurveda Research Institute for Skin Disorders,
New Rajiv Nagar, Vijayawada.

... Applicant

(By Advocate: Ms. G. Manjula)

Vs

1. Union of India rep. by its
Secretary,
Ministry of Ayush, GOI.,
Department of CCRAS,
New Delhi.
2. The Director General,
Central Council for Research in
Ayurvedic Sciences, Janakapuri,
New Delhi.
3. Assistant Director,
Regional Ayurveda Research Institute for Skin Disorders,
New Rajivnagar, Vijayawada.

... Respondents

(By advocate: Ms. K. Rajitha, Sr. CGSC)

ORDER (ORAL)

Hon'ble Mr. B.V. Sudhakar, Admn. Member



The O.A. has been filed by the applicant, challenging the orderdt.29.06.2020 transferring the applicant from Vijayawada Regional Office to Jhansi Regional Office in the respondent's organization. The applicant, aggrieved over the transfer, has filed the O.A.

2. The brief facts of the case are that the applicant is working as Assistant Director in the Regional Ayurveda Research Institute for Skin Disordersat Vijayawada. The respondents vide impugned order, transferred the applicant, without following the transfer guidelines which permit a Group 'A' officer to work at a given station for 5 years. The case of the applicant is that he has completed only 4 years at Vijayawada. Therefore, his transfer isunfair. Aggrieved the OA has been filed.

3. The contentions of the applicant are that in respect of Dr. Govind Reddy, who is also working in the respondent's organization, a transfer order was issued, but the same was kept in abeyance. The applicant pleads that similar treatment should be extended to him as well. Further, due to the prevailing COVID-19 situation going over to a new place and settling down therewould endanger his health. Above all, the tenure period of 5 years in a given post for Group A officers, as prescribed in transfer guidelines have not been adhered to in ordering the transfer.

4. Heard Ms. G. Manjula, learned counsel for the applicant Smt. K. Rajitha, learned Senior Standing Counsel appearing for the respondents.

5. Learned counsel for the applicant stressed on the fact that the transfer guidelines have not been followed and also that one another employee of the organization was favoured, by keeping the transfer order issued to him in abeyance.



6. Learned counsel for the respondents, in response, drew our attention to the impugned order, wherein it was indicated that the transfer order was issued in public interest and submitted that the public interest overrides the grounds raised by the applicant.

7. After hearing both the sides, it is observed that the applicant has made a representation to the respondents on 01.07.2020, requesting retention at Vijayawada. It would be proper and fair to direct the respondents to dispose of the said representation, keeping in view the grounds raised in the O.A. as well as the facts stated in the representation, by issuing a speaking and reasoned order, within a period of four weeks from the date of receipt of this order. Respondents are directed accordingly. Till the representation of the applicant is disposed of, the respondents shall allow him to continue at Vijayawada in the post in which, he is presently discharging his duties.

With the above directions, the O.A. is disposed of, at the admission stage itself. No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/pv/evr