

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/21/768/2020

HYDERABAD, this the 1st day of December, 2020

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



Smt C. Padmalatha, W/o. J. Ramesh,
Aged about 49 years,
Occ: Upper Division Clerk, Gr. C,
Archaeological Survey of India,
Hyderabad Circle, R/o. H.No.2-106/3/ ,
Nanakramguda, Hyderabad.

...Applicant

(By Advocate: Sri C. Raghu)

Vs.

1. Union of India rep. by its Secretary, Ministry of culture, New Delhi.
2. The Director General, Archeological Survey of India, 24 Tilak Marg, New Delhi.
3. The Regional Director (South), Archeological Survey of India, KSIMC Building, Industrial Estate, Rajaji Nagar, Bangalore.
4. The Superintending Archeologist, Archeological Survey of India, 3rd floor, Kendriya Sadan Building, Sultan Bazar, Hyderabad.

....Respondents

(By Advocate : Smt. K. Rajitha, Sr. CGSC)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed challenging the transfer of the applicant from Hyderabad Circle to Hampi Circle of the respondents organization.
3. Brief facts are that the applicant is working as UDC, at Hyderabad circle of the respondents organisation. On 24.11.2020, she has been transferred to the newly created Hampi Circle. Applicant claims that no opportunity was given to explain her difficulties before transferring her. Aggrieved about the transfer, OA is filed.
4. The contentions of the applicant are that during the Corona pandemic, transferring her to Hampi is unreasonable. Her children are studying and that she has an aged mother-in-law to be taken care of.
5. Learned counsel for the respondents has submitted written instructions received from the respondents and argued that the applicant has been working in Hyderabad since 1998 and therefore, on longstanding basis, she has to be transferred. Besides, 18 new Circles have been formed and 18 employees have been transferred including the applicant. The transfer has been necessitated because of administrative reasons and guidelines have been followed.
6. Heard both the counsel and perused the pleadings on record.

7. I. Applicant has been transferred from Hyderabad to Hampi on 24.11.2020. Generally transfers are not to be effected in the midst of an academic session as per DOPT instructions on the subject and further, the Govt. of India is taking great care to avoid transfers during the Corona pandemic. Ld. Counsel for the applicant has submitted that the second wave of the pandemic has commenced and hence, it is not safe to travel and stay in an altogether new place, particularly a female employee. The applicant has represented that children education and elders are to be taken care of.



II. In view of the above submissions, we direct the applicant to submit a comprehensive representation covering all the grounds based on rules and law, seeking retention, within a period of 2 weeks from the date of receipt of the Tribunal order and the competent authority amongst the respondents shall dispose of the representation, within a period of 4 weeks from the date of receipt of the representation from the applicant, by issuing a speaking and reasoned order. Till the representation is disposed of as directed, the applicant shall be allowed to continue to work at Hyderabad Circle.

III. With the above direction, the OA is disposed of, at the admission stage, with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

al/evr