



## Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.3340/2020  
(S.W.P. No.885/2019)

Thursday, this the 10<sup>th</sup> day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. A. K. Bishnoi, Member (A)**

Anil Verma, Age 40 years, S/o Sh. Mulkh Raj Verma, R/o H.,  
No. 270-A, Krishana Nagar, Jammu.

...Applicant

(Mr. Gagan Kohli, Advocate)

Versus

1. State of J&K through Commissioner/Secretary to Government Planning, Development and Monitoring Department, Civil Secretariat, Jammu/Srinagar.
2. Director General, Economics and Statistics Department, Jammu.
3. Director General, Rural Development Department, Jammu.
4. Assistant Commissioner Development, Jammu.
5. Sunil Kumar Raina, Statistical Officer, presently attached in the office of Director Rural Development Department.

...Respondents

(Mr. Amit Gupta, Additional Advocate General)

### O R D E R (ORAL)

**Mr. Justice L. Narasimha Reddy:**

The applicant was working as Junior Statistical Assistant in the Directorate of Statistics Department, Jammu. The next promotion is to the post of Statistical Assistant. He was promoted to that post in the year 2014 after completion of training and was allotted to the Rural Development



Department, Jammu, through an order dated 08.08.2014. Ever since he was assigned the Rural Development Department, he was working in the Office of Assistant Commissioner, Jammu. Through order dated 24.04.2019, he was transferred to the Block Development Office, Chiralla, District Doda. Challenging the same, the applicant filed S.W.P. No.885/2019 before the Hon'ble High Court of Jammu & Kashmir and he pleaded that his parent department is respondent No.2, whereas the order of appointment was passed by the respondent No.3. Reliance is also placed upon certain conditions, which were incorporated in the order dated 08.08.2014, through which he was allotted to Rural Development Department, the respondent No.2.

2. The respondent Nos. 1 and 2 on the one hand and respondent No.3 on the other, have filed separate replies. According to them, the applicant was transferred to Block Development Office, Chiralla, District Doda, due to need of work and no illegality has taken place in that behalf. It is stated that the very purpose of allotting Statistical Officers to various Departments is ensure that their services are available at different stations and no exception can be made to the order of transfer.



3. In view of re-organization of the State of Jammu & Kashmir, the S.W.P. has been transferred to this Tribunal and renumbered as T.A. No.3340/2020.

4. Today, we heard Mr. Gagan Kohli, learned counsel for applicant and Mr. Amit Gupta, learned Additional Advocate General, for the Respondents, through video conferencing.

5. It is no doubt true that the parent Department of the applicant is the respondent No.2. He and other Statistical Assistants were allotted to various Departments in the year 2014. The order of allotment clearly discloses that they shall be under obligation to work under various stations. One clause is added to the effect that in case the Statistical Assistant is required to be posted outside, the parent Department, i.e., 2<sup>nd</sup> respondent, shall be consulted. In the instant case, though the applicant claims that his transfer was effected without consulting the 2<sup>nd</sup> respondent, it is evident that the posting is not outside the establishment. At any rate, 2<sup>nd</sup> respondent was consulted and they have stated no objection to this. Under these circumstances, we do not find any basis to interfere with the transfer.



6. The T.A. is accordingly dismissed. Interim order is vacated. The applicant is granted one month's time to move to the place to which he was transferred. There shall be no order as to costs.

**( A K Bishnoi )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**December 10, 2020**

/sunil/dsn/sd/arun