

Central Administrative Tribunal
Principal Bench, Delhi.

REGN. NO. OA 547 of 1987 Date of decision 7.12.1987

Shri J.S. Garg Applicant

Vs.

Union of India through

1. The Secretary, Ministry of Urban Development, Nirman Bhavan, New Delhi.
2. The Director General of Works, C.P.W.D., Nirman Bhavan, New Delhi. Respondents

PRESENT

Shri J.S. Bali ... Advocate for the applicant.
Shri P.H. Ramchandani ... Sr. Advocate for the respondents.

CORAM

Hon'ble Shri B.C. Mathur, Vice-Chairman.

This case is similar to the case filed by Shri D.V.S. Sinha O.A. No. 35 of 1987. He has also been transferred to Madras and has stayed on in Delhi on almost similar considerations. In this case also the applicant had worked as an Architectural Assistant, then recruited as Deputy Architect through UPSC, deputed to Nigeria and posted to Calcutta and later to Madras. He has also raised the point that under para 6(a) of the transfer policy, he has not completed his tenure in Delhi and the respondents have wrongly computed his tenure in Delhi, counting his services from the date he was appointed as an Architectural Assistant in the CPWD.

Without going into the details of this case separately, the considerations are same as in the case of Shri D.V.S. Sinha (OA 35 of 1987) and same orders will apply in this case as well on the consideration that the transfer policy has not been violated in as much as the applicant had continued in Delhi for over 5 years and that his transfer had been considered by a Committee of three senior officers which rules out malafide and that Government should have certain elbow room in deciding transfers and postings of its

officers, the application is dismissed. There will be no order as to costs.


(B.C. Mathur)

Vice-Chairman