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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No.

198 7

~~T.A. No.~~

671

DATE OF DECISION 18.5.1987

P.R.Sharma

Petitioner

Mr. V.P.Sharma

Advocate for the Petitioner(s)

Versus

Union of India and others

Respondents

--- **Advocate for the Respondent(s)**

CORAM :

Hon'ble Shri B.C.Mathur


The Hon'ble Mr.

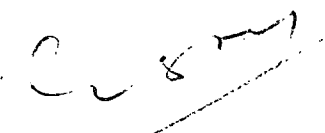
B.C.Mathur, Vice-Chairman

The Hon'ble Mr.

Shreedharan Nair, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether to be circulated to all Benches or not? No


(B.C.Mathur)
Vice-Chairman


(G.Sreedharan Nair)
Judicial Member

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

Original Application No. 671 of 1987

P.R.Sharma .. Applicant

vs.

Union of India .. Respondents
and others

Counsel for applicant .. V.P.Sharma, Advocate

Counsel for respondent .. --

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

Hon'ble Shri G.Sreedharan Nair, Judicial
Member

ORDER OF THE TRIBUNAL DELIVERED BY

Hon'ble Shri G.Sreedharan Nair on 18.5.1987

Heard the counsel for the applicant.

The applicant serving as Asst.Station

Master at Kaninakhas Station, Northern Railway

from July 1984, has challenged the order dt.26.4.1987

transferring him to Sathrod. The ground urged

is that the order is punitive since the applicant

had brought to the notice of the authorities

about the leakage of railway revenue, on which

the third respondent, Sr.Operating Superintendent

got annoyed. It is also urged that the transfer

has been made to accommodate the fourth respondent





and as such is malafide.

On hearing the counsel for the applicant and on going through the records, we are not satisfied that interference is called for by this Tribunal. It is settled that this Tribunal will not interfere with orders of transfer unless such orders are passed on extraneous considerations and not in the interest of exigency of administration. In the instant case, the transfer of the applicant is not an ^{isolated} ~~xxxxxx~~ individual incident. Certain transfers, promotions and postings of Station Masters and Asst. Station Masters have been issued by a consolidated order in connection with implementation of the new policy due to merger of the two ^{grades} ~~xxxxxx~~ of Asst. Station Masters into one single grade and also taking into account the periodical transfers. As pointed out earlier the applicant had been in the present station for more than three years and if along with several others, he has been considered for transfer and that too ^{to} a station, admittedly within 200 Kms., we cannot accept that it is a case of malafides and not in the exigencies of administration.

Counsel for the applicant also invited

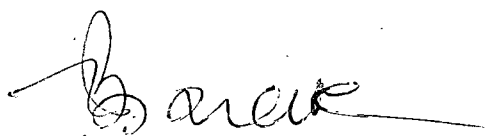
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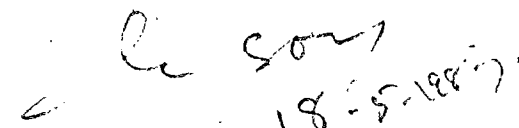
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our attention to the representation that the applicant had given to the authorities regarding alleged irregularities as far as handling of railway revenue. The said representation was turned down, after an inquiry. Though it is urged that the order of transfer was the result of the annoyance on the part of the third respondent, there is no foundation for the said averment for it is significant that the order of transfer was not passed immediately after the submission of the representation or even after its rejection, but has only been made in the routine transfers effected, in the circumstances adverted to earlier.

The other ground urged is that the transfer has been made to accommodate the fourth respondent is also not supported by any material.

In the circumstances, the application is dismissed.


(B.C. Mathur)
Vice-Chairman


(G. Sreedharan Nair)
Judicial Member