

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

....

O.A. 10/87.

Shri Chander Singh I

... Applicant

Vs.

Union of India & Ors.

.... Respondents.

5.1.1987

Shri Jai Singh Kanwar, Advocate appears
on behalf of the applicant who is also present.

In this application made under Section 19 of the
Administrative Tribunals Act, 1985, the applicant has
challenged Order No. 5-17/86-CGHS/NZ 9756-80 dated 22nd
October, 1986 made by the Deputy Director, CGHS, North Zone,
New Delhi ('Director') transferring him from the C.G.H.S.
dispensary, Navin Shahdara, Delhi to the C.G.H.S. dispensary,
Vivek Vihar, Delhi. In pursuance of the said order of the
Director, the applicant has reported for duty at the C.G.H.S.
dispensary, Vivek Vihar, Delhi and is working at the said
dispensary.

2. The applicant has challenged the order as vitiated
by mala fides.

3. Shri Jai Singh Kanwar, learned Counsel for the
applicant contends that the transfer made by the Director was
as a measure of punishment, vitiated by mala fides and illegal.

4. Shri Kanwar does not dispute that the Director was
competent to transfer the applicant from the C.G.H.S.
dispensary Shahdara to the C.G.H.S. dispensary, Vivek Vihar.

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5. We have carefully examined the plea of malafides alleged by the applicant. We are of the view that those allegations are not really against the Director, who has made the transfer and do not even justify us to call upon him to file a reply to examine them in any detail at all. We, therefore, reject this contention of the applicant.

6. We are also of the view that the transfer had been made by the Director in public interest and does not justify our interference.

7. On any view of the matter, this is not a fit case for admission. We, therefore, reject this application at the admission stage without notice to the Respondents.

K.S. Puttaswamy
5/1/1987
(K.S. PUTTASWAMY)
VICE CHAIRMAN
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH,

CAMP: PRINCIPAL BENCH, NEW DELHI.
5.1.1987.

Birbal Nath
5/1/87
(BIRBAL NATH)
ADMINISTRATIVE MEMBER
5.1.1987.