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Central Administrative Tribunal
Principal Bench, Delhi.
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Regn. No. RA 129 in OA No. 1224 of 1989

Date of decision: 19.10.1989

Naresh Kumar Malik

Applicant

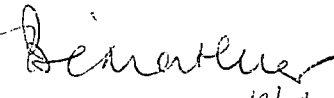
Vs.

Union of India & Others

Respondents

Review Application No. 129 of 1989 has been filed against the orders passed by this Tribunal in OA 1224 of 1989 on 25.8.89. The ground for review is that it has come to the notice of the applicant that the respondents had issued an order dated 27.7.89 in partial modification of their office orders dated 4.4.89 and 12.5.89 whereby one Shri M.S. Brijwal, Junior Engineer (E) attached to Central Store Circle, CPWD, New Delhi, has been transferred to Food Storage Division, Ludhiana, against Shri Kaushal (expired), the place to which the applicant had earlier been transferred. This fact was within the knowledge of the respondents and they wilfully concealed this fact from the Tribunal. As the orders of transfer of the applicant were no longer in existence on the date of passing of the judgment, the question of his transfer does not arise.

2. There is no apparent error of law and the point brought out does not make any difference as far as the transfer order of the applicant is concerned. If Shri Brijwal has been transferred to the Food Storage Division, Ludhiana, and there is only one post at the Food Storage Division, Ludhiana, earlier occupied by Shri Kaushal, the applicant has no cause for grievance. It is entirely for the respondents to decide where they want to keep the applicant. A Central Government employee has no right to continue at any place of his choice as has been clearly held by the Hon'ble Supreme Court in the case of Union of India & Others Vs. H.N. Kirtania, Judgments Today 1989 (3) SC 132. In view of the above, the review application is rejected.


(B.C. Mathur) 19/10/89
Vice-Chairman