

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

(12)

O.A.1290/92

Date of decision: 19.2.93

Jitender Kumar &
others .. Applicants.

versus

Union of India
& others .. Respondents.

Sh.V.P.Sharma .. Counsel for the applicant.

Sh.Jagjit Singh .. Counsel for the respondents.

CORAM:

The Hon'ble Sh.S.P.Mukerji, Vice Chairman(A).
The Hon'ble Sh.C.J.Roy, Member(J)

J U D G E M E N T (ORAL)
(Delivered by Hon'ble Sh.S.P.Mukerji, Vice Chairman(A))

We have heard the learned counsel for both the parties on this application in which the five applicants who have been working as Typists in Reservation Office at the Railway Station, Jaipur in the Western Railways, have challenged their posting when the typing work was replaced by computerisation. The learned counsel for the applicants' plea is that they have been trained to handle computers and therefore, they have got a prior right to be appointed as Reservation Clerk operating the computers.

2. During the course of the arguments on admission. It was revealed that the applicants had approached the Hon'ble Chairman for transfer of this application to the Jaipur Bench of the Tribunal but that petition was dismissed by the Hon'ble Chairman. Therefore, we proceed to dispose of this application.

3. It is admitted by the learned counsel for both the parties that all the applicants except the third applicant, have been transferred from the original

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Station Jaipur to Jaipur itself. The third applicant has been transferred from Jaipur to Phullera on promotion.

4. It is an established law that how the employees should be deployed ^{for} best results is within the ~~admissible~~ ^{administrative} judgement and wisdom of the employer. In the instant case before us except in relation to the third applicant all the other applicants have been transferred without change of Station. We ~~had~~ ^{do} not find that any hardship has been caused ^{to them} ~~in respect of the third applicant~~ though there is change of Station from Jaipur to Phullera, ⁱⁿ case he is not happy about the transfer from the Station, he is at liberty to forego his ^{adverse} promotion and stay back at Jaipur with all ^{application} consequences. In the circumstances we see no force in the ~~case~~ and dismiss it at the admission stage itself under Section 19(3) of the Administrative Tribunals Act, 1985.

Mukerji
(C.J. ROY)
MEMBER(J)

S.M.
19.2.93
(S.P. MUKERJI)
VICE CHAIRMAN(A)