

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA 1144/93

New Delhi this the 13th day of May, 1999.

Hon'ble Shri S.R. Adige, Vice Chairman(A)
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Sh. A.K. Wadhwa

Sh. Chander Mohan Chandok

Shri N.K. Sharma

Sh. Dinesh Chander

Address of all the applicants is
C/O Y.K. Kapur (Advocate)
1203, Nirmal Tower,
26, Barakhamba Road,
New Delhi.

...Applicants

(None for the applicants)

Versus

1. Union of India through Administrator,
Union Territory of Delhi,
Raj Niwas, Delhi-52.

2. Chief Secretary,
Delhi Administration,
Old Sectt., Civil Lines,
Delhi.

3. Joint Secretary (Medical)
Delhi Administration,
5, Alipur Road, Delhi.

4. Medical Superintendent,
Lok Nayak Jaiprakash Hospital,
New Delhi. 2

...Respondents

(By Advocate Shri Amresh Mathur)

ORDER (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman (A)

Applicants impugn the respondent order dated 21.5.93
transferring them to various medical institutions.

2. None appeared for the applicants when the case was
called out even on the second call. Shri Mathur has appeared
for the respondents and has been heard.

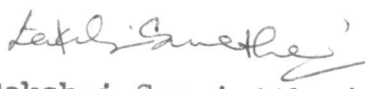
3. We note from the order dated 25.5.93 that the Bench had
noted that applicants' appointment letters carried with it the
liability to serve in any office/department/institution of
the Delhi Administration and their services were transferable

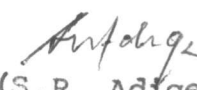
to any office/department/institution.

3. Nothing has been shown to establish that the transfer was malafide, or against any statutory Rules. It has been settled in a catena of Supreme Court judgements that Courts/ Tribunals should not normally interfere in any transfer order, unless it is clearly established that such order is against the statutory Rules, or is malafide.

4. Furthermore, Shri Mathur has stated that the applicants have since been joined at their respective institution pursuant to the impugned order dated 25.5.93.

6. Under the circumstances no cause for interference in the impugned order arises and the OA is dismissed. No costs.


(Smt. Lakshmi Swaminathan)
Member (J)


(S.R. Adige)
Vice Chairman(A)

sk