

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

O.A. 1551/93

Date of decision : 30.07.1993

Shri S.P. Jain

...Petitioner

Versus

Union of India, through
the Secretary,
Ministry of Information & Broadcasting
New Delhi

...Respondents

CORAM :-

HON'BLE MR I.K. RASGOTRA, MEMBER (A)

JUDGEMENT (Oral)

The petitioner is aggrieved by the transfer order No.89/93-SI)B) dated 28.06.1993 issued by the respondents transferring him to A.I.R. Chittorgarh. The learned counsel for the petitioner submits that the transfer order dated 28.6.1993 should be quashed as it seeks to transfer the applicant from External Service Division Delhi to A.I.R. Chittorgarh, first because he was given special training for the Indonesian language both in India and later in Indonesia and secondly because his wife is a Central Government employee in Delhi. In accordance with the policy of the Government, wife and husband, are kept at one station as far as practicable. In assailing the impugned order the learned counsel for the petitioner further relies upon the Transfer Policy laid down in order dated 4.07.1981 issued by the Ministry of Information and Broadcasting and submitted the transfer order

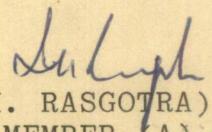
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of the petitioner is in contravention of the said policy.

I have considered the submissions made by the learned counsel for the petitioner. Transfer is normal incidence of service. The petitioner has correctly filed a representation on 2.7.1993 against the impugned order dated 28.6.1993 issued by the respondents. The respondents will admittedly take a decision in the matter of transfer of the petitioner within a reasonable period of time. Keeping in view the grounds taken by him in his representation the petition at this stage is premature as the same has been filed soon after submitting a representation against the order of transfer.

All that can be done at this stage is that we direct the respondents to take a decision on the representation of the petitioner within a reasonable period of time. For this purpose, we consider a period of 30 days, from the date of communication of this order will be adequate. The respondents shall accordingly take a decision and communicate the same to the petitioner within the period prescribed as above. The O.A. is disposed of as above. No costs. Copy of this order be sent to the respondents on emergent basis.


(I.K. RASGOTRA)
MEMBER (A)