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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 2608 OF 1993

THIS 20TH DAY OF DECEMBER, 1993

Hon'ble Mr. B.K. Singh, Member (A)

R. Biswas,
D-1/A-20 Lodhi Colony,
New Delhi- 110003.

..... Applicant

Through Advocate: Shri A.S. Dhupia

VERSUS

1. Union of India, through
The Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. Director-General (Ordnance Services),
M.G.O. Branch, Army HQ.
D.H.Q. P.O., South Block,
New Delhi.

..... Respondents.

Through Advocate: None present.

O R D E R (Oral)

[By Hon'ble Mr. B.K. Singh, Member (A)]

Heard the learned counsel for the applicant. It is admitted that the applicant has stayed in his present place of posting from 1984 and ^{has} thus completed a little more than 9 years. The applicant has been transferred in his own grade to Dehu Road, near Pune (Maharashtra) which is certainly a better town than Delhi. It was stated by the learned counsel for the applicant that the applicant is a member of Scheduled Caste and he has been discriminated and harrassed. He

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referred cases of two juniors who are staying in Delhi for 6-7 years and were transferred out of Delhi and subsequently accommodated in the headquarters (New Delhi) itself, even though they were members of Scheduled Caste. The exact place of their present posting has not been certified by the applicant nor by the learned counsel for him. It is also further stated that the applicant is due to retire in another three years time. The policy of Government is meant for those retiring civil servants who are staying in a station different from a place where they are likely to settle down. In this case the applicant has been staying in Delhi for the last ten years and it is presumed that he must have built a house for him during these years of stay and then problem of accommodation will not arise in his case. It is, however, clarified that he has not built a house in Delhi. It was further argued that his children are studying in the university and colleges and it is not possible to shift them in the mid-session. It is further stated that an ailing son ^{she has} and stay in Delhi till May is necessary.

2. In the light of these observations, the respondents are directed to keep the transfer orders in abeyance till 31st May, 1994 and from 1st June, 1994 the orders will automatically come into operation. The respondents are further directed to allow the applicant to retain the house till the academic session is over.

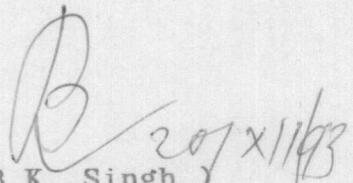
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3. With these observations, the petition is disposed of at admission stage itself.

No costs.


(B.K. Singh)

Member (A)

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