

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 36 of 1998

Allahabad this the 15/12 day of February, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Anoop Singh, son of Late Shri Ram Saran Singh,
resident of 29-Kalyan Nagar, Garh Road, Meerut
City.

Applicant

By Advocate Shri K.P. Singh
Km. Suman Jaiswal

Versus

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. Chief Engineer (H.Q.) Central Command, Lucknow.
3. Commander Works Engineer, M.E.C., Meerut Cantt. The Mall, Meerut.
4. Garrison Engineer(North), Meerut Cantt.
5. The Assistant Garrison Engineer, B/R, II(North) Meerut Cantt.

Respondents

By Advocate Shri Prashant Mathur

ORDER

By Hon'ble Mr.S.K.I. Naqvi, Judicial Member

Shri Anoop Singh- applicant has impugned the transfer order dated 25.7.97, a copy of which has been annexed as annexure A-1 to the O.A., through which he has been transferred from Meerut to Dehradun. The

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applicant has assailed the transfer mainly on the ground that he has been transferred for being surplus on the basis of longest stayee at Meerut though infact the longest stayee is Shri Guruvachan Singh and, therefore, the applicant has been wrongly picked. The applicant has also mentioned that he is retiring on 31.07.2000 and under transfer policy of the respondents, he should not have been transferred after attaining the age of 55 years except on his own request and that too to the place of his choice.

2. The case has been contested on behalf of the respondents for which counter-reply has been filed.

3. Heard, the learned counsel for the applicant and learned counsel for the respondents and also perused the record.

4. It is not in dispute that the applicant has been transferred as a result of being surplus on the basis of longest stayee at Meerut but it has been pleaded on behalf of the respondents that at the time when transfer order was passed, the applicant was the longest stayee at the station and not Shri Guruvachan Singh, as alleged by the applicant. With reference to the facts and circumstances of the case, the learned counsel for the respondents has also pointed out that at the time when the impugned transfer order was passed, the applicant had not completed 55 years of age and, therefore, this plea is also not open to the applicant.

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5. Keeping in view the facts and circumstances of the case, I find no merit to issue the direction as sought for in this matter. The U.A. is dismissed accordingly, consequently the interim order dated 21.1.1998 also stands vacated. No order as to costs.

S. M. M.
Member (J)

/M. M./