

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.1335 of 2005

Allahabad, this the 30th day of April, 2007

Hon'ble Dr. K.B.S. Rajan, Member-J

Vishwa Pradeep, aged about 45 years,
Son of Sri G.L. Sonkar,
Resident of 15/4, Vijay Nagar,
Kanpur, U.P.

...Applicant.

(By Advocate : Shri A.K. Srivastava)

Versus

1. Union of India, through Secretary, Department of Health, Central Government Health Scheme, Government of India, New Delhi.
2. Additional Director, Central Government Health Scheme, Kendranchal Colony Building, Gul Mohar Vihar, Kanpur.

...Respondents.

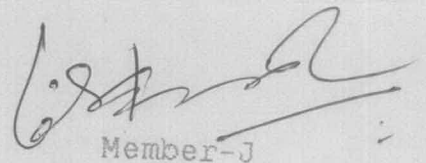
(By Advocate : Shri R.C. Shukla)

ORDER

By Dr. K.B.S. Rajan, J.M. :

The grievance of the applicant is that he has been subjected to frequent transfer both the intra station and inter station and in so far as the impugned order dated 19.9.2005 is concerned, his transfer is from Pandu Nagar to Azad Nagar, the very same place from where the applicant was transferred just 9 months prior to the date of issuance of impugned transfer order. At the time of issue of notice to respondent, the impugned transfer order was stayed.

2. The respondents, in their counter affidavit, alleged various complaints against the applicant vide para 5 of their counter and justified the transfer. No opinion is expressed by the Tribunal over the alleged complaints.
3. Frequent transfers are not normally encouraged both, from the administrative point of view as well as individual point of view. In the instant case, perhaps that was the reasons (though not explicitly mentioned) while passing the interim order and that impugned order was stayed.
4. Be that as it may, it is by now three years, while the applicant is functioning in the same hospital. If there is any substance in the allegations made by the respondents in para 5 of their counter, a close watch may be kept in respect of the performance of the applicant for the next three or four months and if the applicant shows improvement, department may consider to keep him in the same hospital in the Azad Nagar. If for any reasons, they do not want to continue the applicant in that hospital, then, giving the reasons, a fresh order may be passed after the expiry of three or four months. Ordered accordingly.
5. Order dated 19.9.2005 (impugned) is therefore, quashed and set-aside and the respondents are directed to comply with the above directions. The OA is disposed of with no order as to costs.


Member-J