

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH AT BANGALORE**

ORIGINAL APPLICATION NO.170/00905/2019

DATED THIS THE 26TH DAY OF FEBRUARY, 2020

**HON'BLE DR K B SURESH....MEMBER (J)
HON'BLE SHRI C V SANKARMEMBER (A)**

Smt.K Bhavani,
W/o Anan K,
Aged about 57 years,
Senior Social Security Assistant,
Regional Office, Udupi,
(now under the order of promotion
As Section Supervisor and transfer to
RO Gulbarga)
And residing at 'Subhash Nivas',
Padubidri, Udupi District-574 11.

...Applicant

(By Advocate Shri.M Subramanya Bhat)

Vs.

1. Union of India
Ministry of Labour and Employment,
Shrama Sadan, New Delhi-110 011
by the Secretary.
2. Central Provident Fund Commissioner,
Employees Provident Fund
Organisation, Ministry of Labour And Employment,
Head office, Bhavisya Nidhi Bhavan,
No.14, Bhikaji Kama Place, New Delhi-66.
3. Regional Provident Fund,
Commissioner-II,
Regional Office, Udupi-576 101.
4. Regional Provident Fund,
Commissioner-I,
Regional Office Mangalore,
P B No.572, Silva Road,
Mangaluru-575 002.

...Respondents

(By Shri.S.Sugumaran, ACGSC for R1 and Smt.K R Vanita, Counsel for R3 & R4)

ORDER (ORAL)

HON'BLE DR K B SURESH, MEMBER (J)

Heard. The matter relates to promotion and the consequent transfer. Apparently the applicant had declined the promotion but still if she was to be transferred which we had interfered at the interregnum stage. Without any doubt when promotion and the transfer go together, if the promotion is declined, the consequence of it also must be extinguished or vanished. We have held in a hundred different cases that this is to be law of land. Therefore, OA is allowed. Transfer order is hereby quashed. Applicant will be allowed to continue for her full term at the place where she is. OA is allowed. No costs.

**(C V SANKAR)
MEMBER (A)**

**(DR K B SURESH)
MEMBER (J)**

/rsh/

Annexures referred to by the applicant in OA No.170/00905/2019

Annexure A1: Copy of the order dated 15.07.2019
Annexure A2: Copy of the office order dated 06.08.2019
Annexure A3: Copy of the relieving order dated 7.8.2019
Annexure A4: Copy of the representation by email dated 7.8.2019.
Annexure A5: Copy of the Reply dated 7.8.2019
Annexure A6: Copy of the order dated 15.7.2019.