



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 791/2021

This the 30th day of June, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Sunil Kumar Uppal
Aged about 58 years
S/o Shri M.L. Uppal
Group "B"
R/o. 8/26-C, East Patel Nagar,
New Delhi-110008.

...Applicant

(By Advocate: Shri Sridharan R. Ramkumar)

Versus

1. Government of NCT of Delhi
Through its Chief Secretary
Delhi Secretariat, Players Building
ITO, New Delhi-110002.
2. Shri Sanjay Goel
Commissioner
North Delhi Municipal Corporation
4th Floor, Dr. SPM Civic Centre
J.L. Nehru Marg, New Delhi – 110002
3. Shri Gopal
Director Personnel
Central Establishment Department
13th Floor, Dr. SPM Civic Centre
J.L. Nehru Marg, New Delhi – 110002
4. Mrs. Shashanka Ala
Dy Commissioner
City SP Zone, Old Hindu College
Nigam Bhawan, Kashmere Gate
Delhi – 110006



5. Shri Amitabh Srivastava
Asstt. Commissioner
City SP Zone, Old Hindu College
Nigam Bhawan, Kashmere Gate
Delhi – 110006
6. Shri Anil Kumar
Administrative Officer
City SP Zone, Old Hindu College
Nigam Bhawan, Kashmere Gate
Delhi – 110006

...Respondents

(By Advocate: Shri R.V. Sinha)

ORDER (Oral)

Hon'ble Mr. Justice L. Narasimha Reddy:

The applicant was working as Assistant Section Officer in the North Delhi Municipal Corporation. He worked in an establishment, dealing with sealing of the properties. On a complaint received by the department, the applicant was issued a show cause notice. Through an order dated 01.04.2021 he was transferred from the General Branch, City SP Zone to Kasturba Hospital. This OA is filed challenging the order dated 01.04.2021.

2. The applicant contends that the transfer is wholly motivated and it was passed with an oblique motive. He contends that when a complaint was received about the sealing, a show cause notice was issued to him and even before the reply was submitted and final order was passed, he was transferred, as a punitive measure. Reference is also made to the transfer policy contained in the office order dated 05.04.2021 and circular dated 09.09.2013.



3. We heard Shri Sridharan R. Ramkumar, learned counsel for the applicant and Shri R. V. Sinha, learned counsel for the respondents, at the stage of admission.

4. The transfer of the applicant is from the establishment of NDMC to another establishment. It is not a case in which the status or emoluments of the applicant are affected in any way. The examination of the case, from the point of view of the inconvenience or difficulties faced by an employee on account of the transfer, is obviated, in view of the fact that the transfer is from one part of Delhi to another part, that too within the limits of NDMC. Further, the transfer is on administrative grounds and at a time when a verification or inquiry into the complaints received against the applicant, is in progress. It is almost an alternative the suspension of the applicant.

5. We do not find any merit in the OA and it is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/lg/sd/shilpi/