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**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**OA No. 850/2021**

**This the 9<sup>th</sup> Day of July, 2021**

(Through Video Conferencing)

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

Kiran Chadha,  
Assistant (A.D.), Group B, CPWD,  
Currently working at PWD, Delhi,  
Aged about 57 years,  
W/o Sh. Rajeev Chadha,  
R/o A-75, Pandara Road Flats,  
New Delhi – 110003.

... Applicant

(By Advocate : Mr. Setu Niket)

**Versus**

1. Union of India,  
Through its Secretary,  
Ministry of Housing & Urban Affairs,  
Nirman Bhawan, New Delhi.
2. The Director General,  
Ministry of Housing & Urban Affairs (CPWD),  
Nirman Bhawan, New Delhi.
3. The Addl. Director General (Arch.),  
Ministry of Housing & Urban Affairs,  
CPWD, Nirman Bhawan, New Delhi.
4. The Dy. Director General (HQ),  
Ministry of Housing & Urban Affairs,  
CPWD, Nirman Bhawan, New Delhi.
5. The Chief Engineer,  
CPWD, Sector – 7,  
Chandigarh.

... Respondents

(By Advocate : Mr. Ashok Kumar)

**O R D E R (ORAL)****Justice L. Narasimha Reddy, Chairman :**

The applicant is working as Assistant (Architecture Department) in Central Public Works Department (CPWD). Through an order dated 05.03.2020, the department transferred nearly 50 employees to different places, as a result of reorganization of the department. Earlier the applicant filed OA No. 387/2021 before this Tribunal. It was pleaded that she is suffering from serious problems and her husband is also working in Delhi Police. She has also made a representation to the respondents, narrating her grievances. The OA was disposed of on 19.02.2021, directing the respondents to pass a speaking order on the representation of the applicant. Accordingly, the respondents passed an order dated 12.03.2021, rejecting the plea of the applicant. This OA is filed challenging the order dated 12.03.2021.

2. The applicant contends that there are several factors that enable her to be retained at Delhi. She contends that the Government Hospital has certified her to be having suicidal tendency and according to the policy of the Government, persons with such tendency are to be exempted from transfer. Another plea of the applicant is that her husband is working at Delhi and she has to remain alone at Lucknow without any

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family support. The third ground is that due to Covid -19 pandemic, the Government had issued instructions dealing with transfer of such employees.

3. We heard Mr. Setu Niket, learned counsel for the applicant and Mr. Ashok Kumar, learned counsel for the respondents, at the stage of admission.

4. This is the second round of litigation by the applicant in the context of transfer. We verified from the learned counsel for the applicant as to which places the applicant has served during her career of almost 30 years. The answer is that from the beginning, she is in Delhi only and twice she refused promotion to remain at Delhi. The applicant would have been in a very senior position in the CPWD, had she accepted the promotions. The applicant seems to be determined to remain at Delhi, at any cost.

5. In public service, we cannot accommodate such retentions or requests forever. The CPWD is an All India Service and the employees thereof are required to serve at different places. The very fact that the applicant remained at Delhi throughout her service, spread over to nearly 30 years, shows the extent to which, the department has accommodated

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her. No employee can place his/her personal matters above those of the service.

6. The health ground pleaded by the applicant is not supported by the relevant documents. As a matter of fact, when an employee is suffering from serious ailments, the respondents have accommodated the Sl.No.1 and 6 others in the order of transfer. The plea that the applicant's husband is working in Delhi Police cannot be accepted. Once the applicant remained at Delhi for almost 3 decades, she cannot insist upon her retention at Delhi on the ground of the working of her spouse. The respondents have also indicated the parameters for transfer in Covid-19 situation.

7. We do not find any merit in the OA and the same is accordingly dismissed. The applicant is granted 3 weeks' time to report to duty at the new place. There shall be no order as to costs.

**(Aradhana Johri)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

*/jyoti/mbt/ankit/shilpi/*