

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

OA No. 1376/2021

This the 23rd day of July, 2021

(through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)**



BibianKerketta

(Mob. 9650791532)

Aged about 53 years

S/o late Sh. BeatoreKerketta

R/o Q. No. 2, Block E1

Radio Colony, Kingsway Camp

Delhi-110009.

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Applicant

(By Advocate : Dr. Ashwani Bhardwaj)

Versus

Prasar Bharti

Through Director General, Doordarshan

Directorate General, Doordarshan

DoordarshanBhawan

Copernicus Marg, New Delhi.

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Respondent

(By Advocate: Sh. S.M. Arif)

ORDER (ORAL)**Mr. Justice L. Narasimha Reddy:**

The applicant is working as Director Engineer, in Doordarshan. He was working in a station in Delhi since January and vide order dated 29.01.2021, he was transferred to Doordarshan Kendra at Itanagar. He filed OA No. 366/2021 challenging the order of transfer. The OA was disposed of leaving it open to the applicant to make a representation. The representation made by the applicant was rejected through order dated 22.06.2021. This OA is filed challenging the order of transfer as well as the order of rejection.

2. The applicant contends that there are several employees who are eligible to be transferred, but he alone was chosen for transfer. He contends that the respondents themselves felt the necessity of his being at Delhi and despite the order of transfer, he was being continued without relieving. Another ground of the applicant is that recently, an order was passed on 14.07.2021 directing that the unimplemented orders of transfers shall be kept in abeyance due to Covid.

3. Today we heard Dr. Ashwani Bhardwaj learned counsel for the applicant and Sh. S.M. Arif, learned counsel for the respondents.

4. This is the second round of litigation by the applicant challenging the order of transfer. He is holding a senior position and virtually as a Head to the Establishment. The persons holding such post cannot plead the ground of inconvenience or the grounds, that are available to ordinary employees. The applicant states that he is continuing on account of the necessity in the establishment at Delhi.



5. The learned counsel for the respondents however submits that it is on the request of the applicant stating that his son is studying 10th standard, that he was retained for some time and there is no necessity to continue the applicant at Delhi. As regards the order dated 14.07.2021, learned counsel for the respondents submits that it was only an economic measure and does not apply to the cases where the transfer is made on administrative grounds. According to him, the Director, Doordarshan Kendra at Itanagar died and it became inevitable to post the applicant at that place.

5. We do not find any merit in the OA and accordingly the same is dismissed. However, we grant 15 days time to the applicant to join the station.

There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

lg/rk/ns/sd