

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH.

O.A.No.717 of 1992

Harbans Singh .....Applicant.

Versus

Union of India & another ....Respondents.

Hon'ble Mr. Justice U.C.Srivastava, V.C.

Hon'ble Mr.K.Obayya, A.M.

(By Hon'ble Mr. Justice U.C.Srivastava, V.C)

The applicant, who was working as Telegraphist was charge sheeted in the year 1987. After conclusion of the enquiry, he was given punishment of Censure. It appears that because the applicant's elder brother was killed in the Sikh riots of November, 1984, therefore, he was transferred to Saharanpur and his prayer was allowed. He was transferred to Saharanpur on 1.10.85 from Roorkee. He was again transferred at his own request in the year 1987 to Saharanpur. The applicant vide order dated 7.1.92 has been transferred to Gopeshwar. The applicant has made allegations against certain officers and according to him, a — conspiracy with respect to his transfer was hatched against him but the said allegations do not make out any case of conspiracy or malafide in respect of transfer. The applicant's prayer was considered and thereafter he has transferred to Gopeshwar. Transfer order was passed in exigency of service and in very rare circumstances, interference can be made. In this case, there is no ground to interfere with the same. However, it appears that the applicant has moved an application before the departmental authority that he, being a heart-patient, should not be transferred to Hill station.

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It is for the department to consider the prayer of the applicant and thereafter to transfer him to some other place, if possible. With these observations, the application is dismissed. No order as to costs.

  
MEMBER (A)

  
VICE CHAIRMAN.

DATED: JULY 6, 1992

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