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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

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Registration O.A. No. 74 of 1993

Swaroop Singh Applicant.

Versus

Union of India
and others Respondents.

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Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Obayya, Member (A)

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

This application is directed against the transfer order of the applicant dated 4.7.1992 transferring the applicant from the Records, the Kumaon Regiment, Ranikhet to ASC School, Bareilly on administrative grounds. The applicant is a peon working in the Record, the Kumaon Regiment, Renikhet. The applicant has challenged this transfer order on the ground that it is a malafide order and it has been passed in order to deprive him from appearing in the criminal case which has been pending against him. According to him, he was beaten badly by Col. N.N. Yadav to vacate the Government Quarters. He has filed a criminal case against Col. N.N. Yadav in the court of Sessions Judge, Almora. May be the criminal case is pending, but the transfer order is passed in the exigencies of service and the applicant could have been transferred from one place to another and it could not be said that the transfer order is malafide, moreso, when there is no such material from which it could be said that in fact, it is a malafide order.

2. Accordingly, we do not find any merit in this

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application, however, in view of the fact that the applicant has been transferred to a new place, the authorities themselves will take care for some premises for the applicant and give leave to the applicant as and when he is required to appear in the criminal cases. The application is disposed of with the above terms. No order as to costs.

Member (A)

Vice-Chairman

Dated: 16.2.1993

(n.u.)