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THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD

Original Application No. 575/1993

Dr G K Gupta	..	applicant
	Vs	
Union of India and others	..	Respondents
	-:-	

HON'BLE MR MAHARAJDIN MEMBER-3

This is an application under Section 19 of the Administrative Tribunal Act 1985 seeking relief for cancellation of order of transfer dated 16 02 93(Annexure A-3) and consequently relieving order dated 17 03 93(Annexure A-6).

The relevant facts giving rise to this application are that the petitioner was appointed as a Scientist, S-I (Horticulture) at Central Mango Research Station Lucknow and was posted at Bareilly. He has been transferred from Bareilly to Dehradun. It is said that the order of transfer has not been passed in the public interest nor the applicant made any request for his transfer as mentioned in the order (Annexure A-3).

I have heard the learned counsel for applicant at admission stage and perused the record.

The applicant has annexed the impugned order

Anand

(Annexure A-3) which reads as under :-

"Dr.G.K.Gupta, Scientist (Horticulture) presently working at Indian Veterinary Research Institute, Izatnagar stands transferred to Central Soil & Water Conservation Research & Training Institute Dehradun in the same capacity of his own request.

He is not entitled to Transfer Travelling Allowance."

The applicant in para 4(xv) has specifically stated that he never made any request for transfer from Bareilly to Dehradun or to any other place. Upon receiving the order of transfer, the applicant submitted representation dated 04 03 93 (Annexure A-5) wherein he has specifically stated that he did not make any request for his transfer but still the order of transfer on this ground has been passed. The applicant has been also directed not to claim any transfer T.A. The applicant has not been relieved so far while respondents vide letter dated 17 03 93 (Annexure A-6) has asked him to make over the charge and proceed to Dehradun. The representation of the applicant was submitted on 06 03 93 which is still not disposed off and instead another letter (Annexure A-6) for making over charge has been served on the applicant.

Thus keeping in view these facts, the application

(Signature)

is disposed off at admission stage with direction to the respondents to decide the representation (Annexure A-5) within a period of one month from the date of communication of the order. In the meantime the respondents are directed not to relieve the applicant if he has not been already relieved on transfer.

[Signature]
19.4.83
MEMBER-3

Dated: Allahabad
April 19th, 1993.

(VKS)