



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 293 of 1986
T.A. No.

DATE OF DECISION 30.10.'86

SHRI H. K. SAINI Petitioner

SHRI D. M. THAKKAR Advocate for the Petitioner(s)

Versus

UNION OF INDIA & ORS. Respondent

SHRI J. D. AJMERA Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P. H. TRIVEDI ... Vice Chairman

The Hon'ble Mr. P. M. JOSHI ... Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal.

O.A. No. 293/86

Per: Hon'ble Shri P.H.Trivedi, Vice Chairman

JUDGMENT

The applicant, Shri Saini, was transferred from Surat to Bhuj, vide orders dated 8.10.'85, to accomodate Shri Jani, who was sought to be transferred from Bhuj to Himmatnagar, although he had hardly put in eight months service. The applicant himself has been at Surat for about four years. He had earlier resigned himself to the transfer because the respondents had stated that his post at Surat is being abolished. He understands, now that the post at Surat is not being abolished, and he would like to press his claim for retention there. Alternatively, the applicant would like to be posted anywhere on that line, right up to anywhere in Punjab.

2. The respondent has stated that as the applicant was born in October 1946, his present transfer is far from being at the fag end of his service. The post at Bhuj cannot be kept vacant for a long time as it is on the border area and that though there were circumstances in which it was considered that the post in Surat may have to be abolished, it is not not found possible.

3. Transfer is a part of conditions of service. The applicant has been in Surat for a considerable period. He himself has stated that he would accept transfer on any station on that line including in Punjab. He has still many years before he retires. The competent authorities who can judge the requirements of the administration best, have decided to post him at Bhuj. We appreciate that the post at Bhuj cannot be kept vacant for long. In a country in which jobs are few and

Government jobs carry special safeguards and benefits, it is sad that Government servants should hinder the operation of administrative decisions of a routine nature, like transfers, as in this case. We find no circumstance in this case justifying any intervention on our part. The application has no merit and fails. No order as to costs.

P. H. Trivedi
(P. H. TRIVEDI)
Vice Chairman

P. M. Joshi
(P. M. JOSHI)
Judicial Member