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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

MA No. 99 of 1987  
WITH O.A. No. 31 of 1987 ~~198~~  
~~P.A. No.~~

DATE OF DECISION 22/05/1987

Shri G R P Rao Petitioner

G A Pandit Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

R P Bhatt 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.

## J U D G M E N T

(5)

MA/99/87

22/05/1987

WITH

OA/31/87

Per : Hon'ble Mr. P.H. Trivedi : Vice Chairman.

The petitioner has challenged the order dated 8th January, 1987 by which he is transferred and posted at Rajkot from Anand where he has been working since 3-5-1984. The petition, the reply, the rejoinder and affidavit in rejoinder deal with a variety of statements regarding previous transfers of the petitioner and whether they were at his request to accommodate him or otherwise. We do not propose to deal with them because we do not consider it relevant to do so for the purpose of this case. The short point of the petition is that due to certain personal reasons the petitioner desires to be at <sup>or near</sup> Baroda and that he considers that while certain other persons are sought to be accommodated at his cost although it is possible for him to be retained at Anand he is sought to be transferred from there to Rajkot thus causing him hardship.

2. It is well settled that courts are very reluctant to interfere in matters of transfer except on grounds of arbitrariness or mala fide. In this case the petitioner has been at Anand for 3 years and even in normal course he should have been expected to be transferred. No body can claim any vested right in being retained at a particular station. The mere fact that some others who may be junior to him are retained at a place where he would like to be does not make an order arbitrary or mala fide. No officer can choose his station and certainly cannot establish his case by showing how his retention at a particular station can be made possible. Whatever grounds an officer may have for urging his posting or retention at a particular station for personal reasons are matters which the competent authorities can consider if a representation is made properly in this regard, but he cannot impugn the transfer

OA/31/87

(3)

CORAM : HON'BLE MR P H TRIVEDI : VICE CHAIRMAN  
HON'BLE MR P M JOSHI : JUDICIAL MEMBER

20/1/1987

Pending admission. Issue notice on the respondents to reply on admission and merits within 45 days from the date of this order. The transfer of the applicant may not be effected until further orders. Respondents to show cause ~~regarding~~ why interim relief should not be extended. The case is adjourned to 6th April, 1987 for hearing on interim relief and admission.

*Phur*

( P H TRIVEDI )  
VICE CHAIRMAN

*Joshi*

( P M JOSHI )  
JUDICIAL MEMBER.