

CORAM : HON'BLE MR. P.H. TRIVEDI : VICE CHAIRMAN

11/3/1988

Heard Mr. D.V. Mehta learned counsel for the applicant. Mr. J.D. Ajmera has submitted a leave note because of some inconvenience which is taken on record. The learned advocate challenges the transfer order at A1 on two grounds: (1) He has been reverted to the post of U.D.C. and he has challenged this reversion in another application No. OA/662/87 which is fixed for hearing on April 7, 1988 in which he has taken the ^{been} plea that he has continuously working in the promotion post since 1980 and that the impugned transfer order if implemented would effect his plea. (2) In the face of a chain of transfer ordered long ago on 29-12-1982 which has not been yet implemented, He regards the impugned transfer order dated 10-2-1988 on the ground of having immediate affect in the interest of the public service and is actually bias ^{ed} against him.

After hearing the learned advocate we find that so far as ground No.(1) is concerned the ~~xx~~ impugned transfer order is not likely to affect the merits of that case because his continuous service in the promotion post until the date of his transfer is ^{Concerned on} established would be having its own merits. So far as that case is concerned he can urge in that case that his present transfer should not be allowed to affect such merits as and when he establishes in that case. So far as ground No.(2) is concerned it is not established that there is any bias because a later transfer could have administrative reasons for requiring immediate effect and that has nothing to do with the transfers earlier ordered in which individual grievances might have their own merits in deciding either the appropriate stage at which the individuals might be asked to move or whether the chain ~~in~~ the whole should ~~be~~ allowed to operate in this case. No merits ~~is~~ seen in the petition and it is summarily rejected.


(P.H. TRIVEDI)
VICE CHAIRMAN