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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

Original Application No. 322 of 1994.

Date of decision : August, 5, 1994.

L.C. Singh ...

Applicant.

Versus

Union of India and others ...

Respondents.

( FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ? No.
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? No.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)

05 Aug 94.

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For the applicant ...

M/s.Deepak Misra, R.N.Naik,  
A.Deo, B.S.Tripathy,  
P.Panda, D.K.Sahu,Advocates

For the respondents ...

Mr.Ashok Misra,  
Sr.Standing Counsel (Central)

CORAM;

THE HON'BLE MR.H.RAJENDRA PRASAD, MEMBER (ADMN.)

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ORDER

H.RAJENDRA PRASAD, MEMBER (A), Shri Lakshman Chandra Singh, who was working as Sub-Post Master, Manitri Sub Post Office in Mayurbhanj Postal Division since 21.7.1992 was transferred and posted to Kuliana Sub Post Office on 2.5.1994 by Superintendent of Post Offices, Mayurbhanj Division. The transfer was stayed by this Bench on 27.5.1994 and the applicant has been continuing in his post at Manitri Sub Post Office. He challenges the transfer on the ground that it is against the rotational transfer policy of the department.

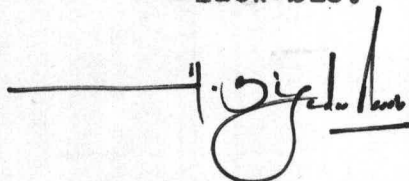
2. The document on which the applicant mainly relies is one which contains the guidelines for effecting rotational transfers of officials on completion of

— 1. Singh —

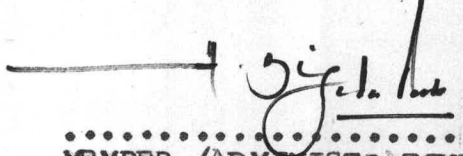
tenure in a particular office. Shri Ashok Misra, learned Senior Standing Counsel (Central) submits that this document in no way confers a right on any official to remain undisturbed for a full tenure in a particular office and that the authorities reserve the right to effect transfers in mid-tenure when necessitated by circumstances or in public interest. He cited some of the factors which necessitated a premature transfer in the instant case.

3. A document, purported to be the copy of a letter addressed to Respondent No.4 by an elected representative of the people, has been annexed by the Respondents to their counter affidavit. During the hearing, Shri B.S. Tripathy, learned counsel for the applicant argued that this letter was the real reason for the issue of the impugned order. It is, however, seen that the letter from the M.P. was sent in August, 1992, whereas the order of transfer was issued in May, 1994. I do not find any direct link between the two, whereas the Respondents have, on the other hand, cited several other factors in justification of the transfer of the applicant. These are convincing.

4. Under the circumstances, I do not find any scope to intervene in the matter. The stay earlier granted on 27th May, 1994, is vacated. The application is not found allowable.



5. Thus the O.A. is disposed of. No costs.

  
.....  
MEMBER (ADMINISTRATIVE)

Central Administrative Tribunal,  
Cuttack Bench, Cuttack.  
August, 5, 1994/Saranghi.

Aug 94.