

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
	<p data-bbox="597 242 1139 280"><u>Order No.29, dated 2.4.2002.</u></p> <p data-bbox="867 308 1467 346">None appears for the applicant.</p> <p data-bbox="597 372 1532 1995">2. The applicant, a Chief Health Inspector(IC) Grade I, having faced a transfer from the office of Senior Divisional Medical Officer, South Eastern Railway, Khurda Road Division, to Bhubaneswar, to work in the <u>same capacity</u> as against a post of Health Inspector, has filed this O.A., raising a grievance that his posting as against the post of Health Inspector at Bhubaneswar amounts to downgrading him. A counter has been filed by the Railways wherein it has been explained that on such transfer from Khurda Road to Bhubaneswar, the applicant would not suffer financially as he has been asked to continue in the same scale of Rs.7450-11500/- and shall continue to work in the <u>capacity of a Chief Health Inspector</u> at Bhubaneswar. On a plain understanding of the case, it appears that the post of Health Inspector at Bhubaneswar has virtually been upgraded to that of a Chief Health Inspector because the applicant has been transferred in the <u>same capacity</u> with the same scale of pay. Therefore, it cannot be said that the applicant has faced a reversion or demotion from the rank of Chief Health Inspector to that of Health Inspector.</p> <p data-bbox="597 2023 1532 2369">3. Once it is held that on transfer the applicant is not facing any demotion in rank, then the only remaining point is regarding transfer simplicitor. In the transfer order it has been clearly stated that it was an administrative decision. Transf</p>



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being an incident of service and the authorities administratively having decided to transfer the applicant, this Tribunal is not to interfere in the matter. Having heard Mr.D.N.Misra for the Railways and on perusal of the pleadings, this O.A. is dismissed, but, however, without any order as to costs.

 02/04/2002

(M.R. MOHANTY)

MEMBER (JUDICIAL)

Copies of order
may be sent to
the counsel for
petitioner.

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4.4.02

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