

O.A.NO. 222/2001.

ORDER DATED 08-03-2002.

The Applicant a Member of the Indian Police Service, was posted as Superintendent of Police at Bargarh. He faced a transfer to Cuttack as Superintendent of police (No.II) Signals vide order dated 02-06-2001. His successor assumed the charge as Superintendent of Police, Bargarh on 05-06-2001 and the Applicant, in obedience to the transfer order, joined as Superintendent of Police (No.II) Signals at Cuttack on 02-07-2001. He filed this Original Application on 06-06-2001 i.e. a date after his successor assumed the charge of the office of the Superintendent of Police, at Bargarh. In the Original Application, the Applicant has raised mala fide, against the Respondents and to establish the mala fide, he has shown that he faced transfers successively from place to place with a short span of time.

Transfer is an incident of service and in the present Original Application, the Applicant has already joined in his new station in July, 2001 and is still continuing as Superintendent of Police (No.II) Signals at Cuttack on the strength of the transfer order dated 02-06-2001.

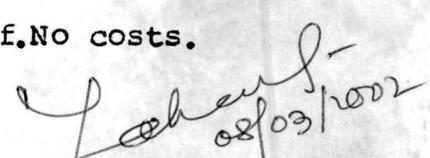
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Mere successive transfer orders can not per se prove mala fide. Therefore, without probing into the matter and since the impugned order of transfer dated 02-06-2001 has already been implemented long eight months back, I find no reason to interfere ^{with} in the order of transfer. Hence the O.A. is disposed of. No costs.


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)