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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 148/2006
JODHPUR : THIS THE 8TH DAY OF DECEMBER, 2006.**

CORAM :

HON'BLE MR. R. R. BHANDARI, ADMINISTRATIVE MEMBER

Purkha Ram S/o Shri Gorkha Ram aged 56 years, Senior Scientific Assistant III in the office of Locust Warning Organizations, Locust Circle Office, Phalodi, District Jodhpur Resident of Paharganj II, Jodhpur.

.....Applicant

By Mr. Vijay Mehta, counsel for the applicant..

Versus

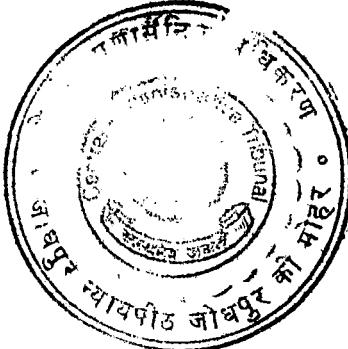
1. Union of India through the Secretary, Ministry of Agriculture (Dept. Of Agriculture & Cooperation), Krishi Bhawan, New Delhi.
2. Plant Protection Adviser to Government of India Directorate of Plant Protection, Quarantine & Storage, National Highway IV, Faridabad, Haryana.
3. Chief Administrative Officer, Directorate of Plant Protection, Quarantine & Storage, National Highway IV, Faridabad, Haryana.

.....Respondents.

Mr. Mahendra Godara, advocate brief holder for Mr. Vineet Kumar Mathur, counsel for the respondents.

**O R D E R
[BY THE BENCH]**

I have perused the application and the arguments advanced by the counsel for both the parties.



2. Applicant, Purkha Ram, who is working as Technical Officer - III, at Phalodi, has prayed in this Application for his transfer to Jodhpur on the ground that he is continuing at Phalodi since August 1991, and for last thirty three years, he was never posted at his home town despite availability of vacancies. This application is not against any specific order issued by the respondents but, is being filed at his own to shift

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him to his home town. The learned counsel for applicant argued that only after about three years, applicant is due to retire, therefore also his request for transfer from Locust Outpost Phalodi to Locust Sub Station, at Jodhpur is genuine.

3. The respondents have filed a detailed reply and have taken a preliminary objection that this Application is not maintainable as there is no impugned order which is under challenge. It is submitted that it is the prerogative of the respondent-department to determine who should be posted at which place and the department has to see the administrative requirements and exigencies of work in public interest. At present, the applicant is posted at a place which is very near to his home town. It is not in dispute that applicant is continuing in this region for last about 33 years. However, the applicant was informed that his case regarding posting him at Jodhpur, was considered sympathetically by the competent authority but due to non availability of vacancies, it was not feasible to accede to his request.

4. In view of the facts mentioned above, the Original Application is disposed of with a direction that the Competent Authority may decide the matter as per the rules in practice within a period of six months from today. The O.A. stands disposed of accordingly. No order as to costs.

R.R.Bhandari

(R.R.Bhandari)
Administrative Member



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Part II and III destroyed
In my presence on 11/4/14
Under the supervision of
Sergeant () as per
order dated 31/01/14
Special Officer (Recover)