

0-078/90

21-3-90

Hon. D.K. Agrawal, Jm.
Hon. K. Obayya, AM.

(H2)

Applicant in person

Shri D. Chandra, appearing on
behalf of respondents files the original
file. Keep it on record. Receipt
for order on interim matters.

De
Jm

21.3.90

Hon. D.K. Agrawal, J.M.
Hon. K. Obayya, A.M.

This application under section 19 of the Administrative Tribunal's Act, 1985 has been filed aggrieved with the order of transfer dated 6.3.90 (Annexure 23). The facts are that the applicant was posted as Superintendent, Post Offices, Sitapur and transferred as Assistant Director, Agra Region carrying special pay of Rs 200/-. The order of transfer has been challenged on a number of grounds. The allegation of malafide made against Shri B.P. Singh, Director, Postal Service do not inspire confidence and in any case, we are unable to find out nexus in the allegation made by the applicant against the above said Director, Postal Services and the impugned order of transfer. On the other hand, we have examined the file. The transfer in question has been made without any stigma on the applicant. He has been posted at Agra on a post carrying special pay of Rs 200/-. It appears to us that the Post Master General had applied mind before taking a decision on transferring the applicant from Sitapur to Agra. Then, transfer is an incident of service. Courts have got to be slow in interfering with the orders of transfer unless there are established malafide or arbitrariness appearing on the face of it. In the circumstances we are not inclined to interfere with order of transfer in question. Consequently, the application is dismissed without any order as to costs.

A.M.

D.K. Agrawal
J.M.