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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH,

LUCKNOW.

Original application No.1222/91

(T.A. No.161/92 T.L.)

THIS THE 6TH DAY OF OCTOBER, 1994.

HON'BLE MR. JUSTICE B.C.SAKSENA, VICE-CHAIRMAN.

A.P. Deewan,
Aged about 41 years,
S/o. Shri M.S.Deewan,
4/o 7/10 Dali Bagh,
Lucknow.

::::: Applicant.

(None)

Vs.

1. Union of India,
through its Secretary,
Ministry of Information
and Broadcasting,
New Delhi.
2. Director General
(Administration),
Doordarshan, Mandi House,
Copernicus Marg,
New Delhi.
3. Director,
Doordarshan,
24, Ashok Marg,
Lucknow.

BY D.R.ASHOK NIGAM,
ADVOCATE.

ORDER (oral).

JUSTICE B.C.SAKSENA, VICE-CHAIRMAN.

Power, on behalf of the respondents, has been filed by Dr. Ashok Nigam, learned standing counsel for the Union of India. Misc. Application No.827/92, seeking vacation of stay order, has been filed along with counter-affidavit. No rejoinder affidavit has been filed. This O.A. was filed against the transfer order dated 29-10-91 passed

by the Director General (Administration), Doordarshan, New Delhi. On 6-12-91, a Division Bench of this Tribunal, after noting ~~that~~ one of the grounds in the petition that the applicant's children are studying at Lucknow and academic session has started, has observed that "it is expected that the applicant may not be disturbed and he will not be asked to shift anywhere from the present place of posting". If read as a whole, the intention of the said order was only that the applicant would not be disturbed during the academic session viz. 1991-92.

2. The other ground indicated is that the applicant was appointed w.e.f. 8-2-89 for 5 years of contract period. The said period has also elapsed. The applicant, admittedly, is holding a transferrable post. He based his claim to challenge the order of transfer of policy decision. The same confers no legal rights. It is well settled that the Tribunal would not normally interfere with an order of transfer unless there is allegation of malafides. In this case no allegation of malafides has been made. The application has out-lived its utility and has been rendered infructuous. The same is accordingly dismissed. The interim order passed earlier stands vacated.


VICE-CHAIRMAN.