

(3)  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH

O.A.781/89

K.S.Narasimhan,  
Sr.Airworthiness Officer,  
O-2/4, New Airport Colony,  
Bombay - 400 099.

.. Applicant

vs.

The Director General of  
Civil Aviation,  
East Block, R.K.Puram,  
New Delhi - 110 066.

.. Respondent

Coram: Hon'ble Member(J)Shri M.B.Mujumdar

Hon'ble Member(A)Shri M.Y.Priolkar

Appearances:

1. Applicant in person.
2. Mr.R.K.Shetty  
Advocate for the Respondent.

ORAL JUDGMENT

(Per M.B.Mujumdar, Member(J))

Date:14.12.1989


Heard the applicant in person and Mr.R.K.Shetty for the respondent. The applicant is serving as Senior Airworthiness Officer at Bombay. By order dated 11.9.1989 he is transferred to Calcutta in the same capacity. By telegraphic order the transfer is stayed for a period of four months. The transfer was stayed on the representation of the applicant on humanitarian grounds.

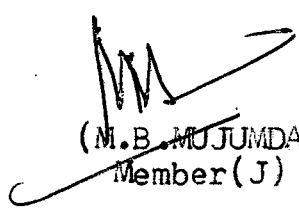
2. On 29.9.1989 i.e. before the transfer was stayed the applicant has filed this application challenging his transfer to Calcutta. He has relied on some guidelines, a copy of which is produced at page 7 of the application. However, we find that the applicant is in Bombay for about 10 years. We have held in some cases that guidelines are not mandatory in nature. This is also clear from the guideline No.11 which states that "Notwithstanding the provisions

contained in paras 1 to 10 above any official can be transferred at anytime due to operational/administrative/compassionate grounds." Mr. Shetty stated that the services of the applicant ~~are~~ necessary at Calcutta. Hence we do not find any merit in this application. It is rejected summarily.

3. However, we are informed that the applicant is staying in the quarters allotted to him by the respondents with his wife and children. The applicant's wife is serving in Indian Overseas Bank. As the academic year in Bombay will come to an end by the end of April we direct that the respondent shall allow the applicant's wife and other family members to stay in the same quarters upto the end of May, 1990.

4. There will be no order as to costs.

  
(M.Y. PRIOLKAR)  
Member(A)

  
(M.B. MUJUMDAR)  
Member(J)