

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION NO 136 OF 2001

Jawahar Singh, IPS )  
Commandant State Reserve Police )  
Force, Group 11, Navi Mumbai )  
Camp Goregon )  
Residing at )  
Flat No. 301, Asawari )  
Behind Yashodhan )  
Near CCI Building )  
Churchgate, Mumbai - 400 020 ) ... APPLICANT

VERSUS

- 1) Union of India, through )  
The Secretary )  
Ministry of Home Affairs, )  
New Delhi 110 001 )  
2) State of Mahatashtra, Through )  
Chief Secretary, )  
Government of Maharashtra, )  
Matralaya )  
Mumbai - 400 039 )  
3) Shri Kripashankar Singh )  
Minister of State for Home Affairs )  
Maharashtra State )  
Mantralaya )  
Mumbai 400 039 )  
4) Director General of Police )  
Police Headquarters )  
Opp Regal Cinema )



*[Handwritten signature]*

- Shahid Bhagat Singh Road )  
Colaba, Mumbai - 400 039 )  
)  
)  
5) The Commissioner of Police )  
Mumbai Nr. C Crawford Market )  
Mumbai - 400 001. )  
)  
6) T. K. Chaudhary )  
Additional Director General )  
(Establishment) )  
Police Headquarters )  
Opp Regal Cinema )  
Shahid Bhagat Singh Road )  
Colaba, Mumbai - 400 039 ) ... RESPONDENTS

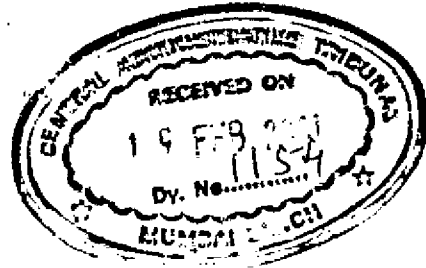
### DETAILS OF THE APPLICATION

#### 1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE

This is an application against an illegal and arbitrary transfer of the Applicant by order dated 14-02-2001, in supersession of the order passed just one day before on 13-02-Annex. A1 2001. Hereto annexed and marked as "Annexure A-1" is a copy of order dated 14-02-2001, hereinafter referred to as the impugned order. It is submitted that the impugned transfer order is malafide and has been passed for extraneous consideration and not in public interest.

#### 2. JURISDICTION OF THE TRIBUNAL

The Applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.



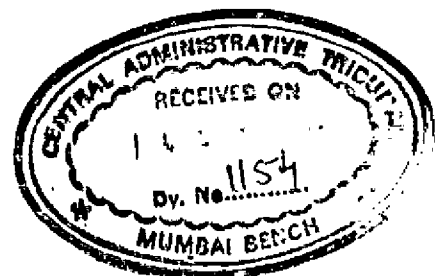
### 3. LIMITATION

The Applicant further declares that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act, 1985.

### 4. FACTS OF THE CASE

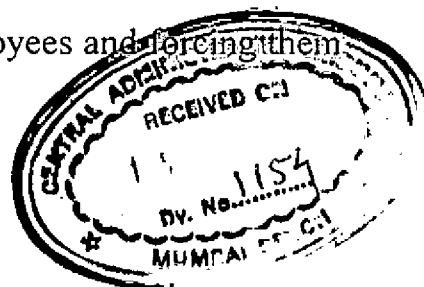
4.1) The Applicant is an IPS Officer of 1986 batch and is presently working as Commandant State Reserve Police Force Group 11, Navi Mumbai, Camp Goregaon. He has been an upright and honest Officer. The record of the Applicant is absolutely clear. Applicant has been made to suffer several times and harassed by vested interests. Time and again he has been transferred from one place to another. In nut shell, he has been forced to file avoidable Original Applications before this Hon'ble Tribunal, which has been the subject matter of the earlier litigation. The Applicant craves leave to refer to and rely upon earlier Original Applications if required

4.2) The Applicant states that in the year 1993 he was given a false and fabricated charge-sheet and was consequently made to suffer on account of concocted charges in various ways i.e. his promotion to J.A. Grade was withheld, he was denied an opportunity to go to Angola on deputation and the enquiry was not completed with a deliberate intention of keeping the Applicant and his career under suspense for six long years. The charge-sheet was ultimately dropped without even conducting an enquiry.



4.3) The Applicant was forced to file an Original Application No. 172 of 1997, challenging the said charge-sheet. This Hon'ble Tribunal decided the Original Application and granted 9 month's time to the Respondents to complete the enquiry. Nevertheless the enquiry was not completed within the time limit stipulated by the Hon'ble Tribunal and the extensions was requested twice. It is submitted that it was because of the false charges framed against the Applicant, that the Respondents on one pretext or the other did not want to conduct the enquiry and ultimately the charges were dropped even without conducting the enquiry even for one day. Even the Enquiry Officer was not appointed. The Applicant was made to suffer in this way for no rhyme or reasons and for a long period of six years. The power to issue charge-sheet was grossly misused in this case, knowing fully well that mere issuance of a charge-sheet would severely and prejudicially affect the career of the Applicant.


4.4) The Applicant further states that thereafter by an order dated 09-02-1998 the Applicant was transferred to non-cadre post and again the Applicant was compelled to approach this Hon'ble Tribunal. By order dated 26-03-1998, in OA 161 of 1998, the transfer order of the Applicant was Annex. "A2" quashed. Hereto annexed and marked as "Annexure A-2" is a copy of the said judgement dated 26-03-1998. It is submitted that despite the Hon'ble Tribunal's order, the Respondents have again posted him against a non-cadre post and he has been working as Commandant S.R.P.F. for the last about 3 years in Mumbai. The Respondents have thereby violated the orders of the Hon'ble Tribunal and in fact committed contempt. The Respondents are simply provoking employees and forcing them to resort to unnecessary litigation.



4.5) Applicant states that by order dated 13-02-2001, he was transferred and posted as a Dy Commissioner of Police, Mumbai. Applicant craves leave of this Hon'ble Tribunal to refer to and rely upon the said order dated 13-02-2001, when produced.

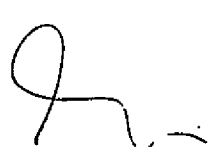
4.6) Applicant submits that however, as if not contended by the earlier litigation, Respondent Nos. 6, immediately after one day on 14-02-2001 issued an order transferring and posting the Applicant as Dy Commissioner of Police to Pune, and has been asked to proceed to join the new posting without availing the journey time. The Applicant has not yet been relieved. The Applicant states that the impugned order dated 14-02-2001 has been passed in haste, probably at the instance of Respondent No. 3, who has taken this step objectively and probably for wrong and extraneous reasons and considerations. Otherwise, there is no occasion at all as to why the earlier order dated 13-02-2001 should be cancelled and the Applicant should be asked to join at Pune.

4.7) The Applicant further states that in November 2000 he made a representation to the Respondents to post the Applicant against a cadre post, in view of the observations made by this Hon'ble Tribunal in Original Application No. 161 of 1998. It is submitted that the Applicant has come to know that Director General of Police has even recommended understandably, in accordance with the Rules, that the Applicant should be posted as Dy. Commissioner of Police, Mumbai City. It is submitted that despite the order of the Hon'ble Tribunal and despite the Rules in this behalf, the Applicant has been transferred and posted to a non-cadre post as a Commandant S.R.P.F., Mumbai. It has taken about 4



months after the representation in writing to the D.G.P. to process the case for posting to Mumbai City and it has taken less than half a day to post the Applicant to Pune for the reasons best known to the authorities. The authorities have verbally told him to join in Local Arms Branch, Mumbai Police, which shows there is no job rotation or policy for job rotation. There seems to be no policy for posting officers just because some officers have come from foreign assignment are posted to Mumbai City.

4.8) It's submitted that the Applicant has been transferred to Pune by the impugned order, not in the public interest or in the exigencies of service, but at the behest of Respondent No. 3, who is the Minister of State for Home Affairs. The Applicant also has come to know that he has been transferred to Pune with a view to accommodating some person, who is favourite of Respondent No. 3 and the transfer order has been thus passed malafide and not for legal purposes. It is submitted that there was no necessity to change the order dated 13-02-2001 once it was passed. It further proves that he is being victimized for the obvious reasons which are not difficult to imagine<sup>and</sup> are not farfetched. The pattern of harassment been consistent and unmitigating which has made the Applicant suffer immensely personally and with regard to his service prospects. It is a serious discrimination which has been perpetuated by Respondents, because the impugned order is not only arbitrary, whimsical, but smacks ~~on~~ abuse of power under guise of legal authority. It is respectfully submitted that there is no valid or good reason for changing the order dated 13-02-2001, except that it has been passed at the sweet will and caprice of the Respondents.



4.9) The Applicant further submits that it is learnt that Shri Kripa Shankar Singh, Respondent No. 3 herein, vehemently opposed the posting of the Applicant for the reasons best known to them and got the Applicant's posting cancelled from Mumbai City to Pune. It is learnt that the Commissioner of Police, Mumbai, sent the report against Shri Bipin Bihar, Shri Rajender Singh and Shri Kanakratnam and on the basis of these report they were transferred out of city. Shri Rajneesh Seth and Shri Bipin Bihari have been posted for the second time in Mumbai city. In case of Shri Bipin Bihari he has been not only been posted second time to Mumbai city but also in the same zone where he has worked earlier for the reasons best known to respondent No.3 & 5. The similar situation could also be there for Shri Rajneesh Seth. Shri Sanjay Barve has completed more than 5 years in Mumbai City and Shri S. R. Paraskar has also completed more than 4 years in Mumbai City. There are a few such officers as well who have not only completed the required tenure in Mumbai City, but are also continuing in violation of Government Rules. The Applicant is giving these examples for showing arbitrariness to the exclusion of any system being adopted.

4.10) The Commissioner of Police, Mumbai in order to control corruption in the department has issued the circular is Special Police Bulletin No. 1 /2000 dated 09-10-2000, saying that in case any Anti-Corruption raids is conducted by the Anti Corruption Bureau then the respective Zonal Deputy Commissioner / ACsP /Inspectors of the respective jurisdiction shall be squarely responsible, inter alia laying down that it shall be presumed that the concerned ACsP and DCsP are unable to control the corruption and accordingly the entry shall be made in their Annual Confidential Report.

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The Anti Corruption Bureau is continuously conducting raids but for the reasons best known to the Respondent No. 3 & 5 have cancelled his orders and retained some of the officers in the same zone where they have worked earlier. Again it shall not be out of place to mention that the officers who have joined from deputation from abroad have been posted to Mumbai city. The policy / guidelines for posting / transfer/career planning/management/job rotation are not implemented in letter and spirit at all. As a matter of policy the Direct IPS Officers should be given an independent charge of the district, which has been denied to the Applicant for no reasons at all.

4.11) As submitted earlier the Applicant has been made to suffer time and again because of unacceptable and unconstitutional factor and other extraneous considerations. The Applicant has not been allowed to work peacefully and he has not been allowed to exploit his full potential as an Officer.

4.12) The Applicant states that he has been tossed from one place to another for the reasons which are obvious and the Respondents have abused and misused their power to transfer an officer. The impugned order is against the public policy and against the Rules of Good Administration. It is submitted that the Respondents are bound by the Rule of law and power can legitimately be used only for good administration and in public interest. The element for good administration and public interest is woefully missing in passing of the impugned order dated 14-02-2001 and the power to transfer has not been used for its professed purpose. The impugned order is also bad and is liable to be quashed and set aside as it has been passed solely at the behest of Respondent





No. 3 malafide and for illegal purpose. The impugned order also suffers from complete non-application of mind

4.13) Applicant states that his children are studying in Mumbai and for domestic reasons also is not in a position to carry out the transfer, which is otherwise bad in law.

4.14) The Applicant is not yet relieved from the present post nor he has handed over the charge. He has not taken charge of his new posting at Pune and the order dated 14-02-2001 is not yet implemented.

#### 5. GROUND FOR RELIEF WITH LEGAL PROVISIONS

Being aggrieved by the impugned action of the respondents, the Applicant approaches this Hon'ble Tribunal on the following grounds among others which are without prejudice to one another:

- a) The impugned order dated 14-02-2001, transferring and posting the Applicant to Pune, is bad in law and is liable to be quashed and set aside.
- b) The impugned order has been passed for extraneous consideration, and does not have sanctity of legitimacy, good administration and public interest.



- c) The impugned order is mala fide, arbitrary, and suffers from twin vices of abuse and misuse of power.
- d) The impugned order is unilateral and has been passed for collateral purpose, unconnected with the official and administrative demands.
- e) The order dated 13-03-2001 posting the Applicant as Dy. Commissioner of Police at Mumbai is valid, legal and sustainable.
- f) The impugned order is invalid, illegal, against the principles of natural justice, unconstitutional and violative of articles 14, 15 and 16 of the Constitution of India.

**6. DETAILS OF REMEDIES EXHAUSTED**

Applicant declares that no statutory remedy is available to him under the relevant rules.

**7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT**

Applicant further declares that he has not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

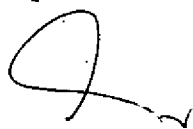


## 8. RELIEFS SOUGHT

- a) This Hon'ble Tribunal be pleased to call for the records of the case, which led to the issuance of the Transfer and posting order dated 14-02-2001, transferring and posting the Applicant to Pune, and after going through it propriety, legality and constitutional validity, quash and set aside the order dated 14-02-2001.
- b) This Hon'ble Tribunal be pleased to hold and declare that the order passed on 13-03-2001 is valid and legal and direct the Respondent to post the Applicant as Dy. Commissioner of Police in Mumbai, in the vacancy for which he was transferred.
- c) This Hon'ble Tribunal be pleased to order and direct Respondents to follow job rotation or policy as per rules.
- d) Any other and further order as this Hon'ble Tribunal may deem fit, proper and necessary in the circumstances of the case.
- e) Cost of this Original Application be provided for.

## 9. INTERIM ORDERS

Applicant submits that he has made a prima facie case for admission and grant of interim order. A great harm and prejudice would cause to the Applicant, which cannot



be compensated in terms of money, if the Interim Order as prayed for is not passed. On the contrary, no harm or prejudice would cause to the Respondents, if the interim order as prayed for is passed. Balance of convenience is in favour of the Applicant. The Applicant has not yet been relieved and he has not handed over the charge. In view of whatever stated above, following interim order be passed :

- a) Pending the hearing and final disposal of this Original Application, Respondents may be restrained from implementing and giving effect to the Order dated 14-02-2001, transferring and posting the Applicant to Pune.
- b) Ex-parte, ad-interim and interim reliefs in terms of prayer clause "a" above.

**10. IN THE EVENT OF APPLICATION BEING SENT BY REGISTERED POST**

10. This Original Application is being filed in person by the Advocate of the Applicant, on behalf of the Applicant.

**11. PARTICULARS OF BANK DRAFT / POSTAL ORDER FILED IN RESPECT OF THE APPLICATION FEE**

Bank Draft / Postal Order No 46234345  
dated 19-2-01 for Rs. 50/-



## 11. LIST OF ENCLOSURES

List of Enclosures are as per the index attached to the Application.

### VERIFICATION

I, Jawahar Singh, IPS, the Applicant herein, Resident of Mumbai, do hereby verify that the contents of paragraphs 4.1 to 4.1~~2~~<sub>4</sub> are true to my personal knowledge and paragraphs 5 to 12 believed to be true on legal advice and that I have not suppressed any material fact.

DATE : 19<sup>th</sup> February, 2001

PLACE : MUMBAI

  
SIGNATURE OF APPLICANT



(G.S. Walia)  
Advocate High Court

Annexure-A-1

14

995

15-02-20 00:57 FAX NO.:

P.01

ADDL DG ESTT

P.01

14-02-21 13:10 FAX NO.: 022 28282255

Confidential  
D. O letter No. GP/1/10/4(2/2001)

Maharashtra Rajya Police Mukhyalaya  
Shaheed Bhagat Singh Marg, Colaba,  
Mumbai 400 039.



T.K. Choudhary  
ADDL DIRECTOR GENERAL OF POLICE  
(Estt.)

Date: 14/2/2001

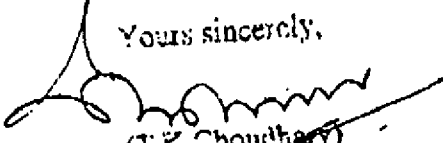
My Dear Jawahar Singh,

The Government has approved your transfer as Dy. Commr. of Police. Pune in existing vacancy. You may hand over your charge in consultation with Spl. JG, SRPF, Mumbai and proceed to join your new posting without availing joining time.

Formal notification will be issued by the Government.

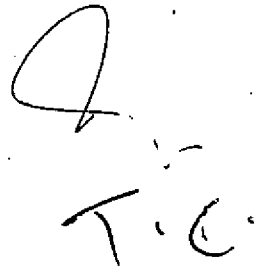
With best wishes,

Yours sincerely,

  
(T.K. Choudhary)

14/2

Sri Jawahar Singh,  
Commr. SRPF, Cr. XI,  
Navi Mumbai.



**EXHIBIT - A-1**

Confidential

D. O. letter No. GP/1/10/4(2/2001)

Maharashtra Rajya Polie Mukhyalaya  
Shaheed Bhagatsingh Marg, Colaba  
Mumbai 400 039

T. K. Chaudhary  
ADDL. DIRECTOR GENERAL OF POLICE  
(Estt.)

Date : 14/2/2001

My Dear Jawahar Singh,

The Government has approved your transfer as Dy. Commr. Of Police, Pune in existing vacancy. You may hand over your charge in consultation with Spl. IGP, SRPF, Mumbai and proceed to join your new posting without availing joining time.

Formal notification will be issued by the Government.

With best wishes,

Yours sincerely,

Sd/-

14/2

(T. K. Choudhary

Shri Jawahar Singh  
Commndt., SRPF, Gr.XI,  
Navi Mumbai



(15)

ANNEXURE A-2

CENTRAL ADMINISTRATIVE TRIBUNAL

MEMORIAL BENCH

ORIGINAL APPLICATION NO.: 151/98.

Dated : The 24th day of March, 1998.

CORAM : HON'BLE SHRI M. R. KOLHATKAR, MEMBER (A).

Jawahar Singh,  
I.P.S. S.P. Railway,  
Nagpur.

... Applicant

(By Advocate Shri G.S. Wallia)

VERSUS

1. Union Of India through  
The Secretary,  
Ministry of Home Affairs,  
New Delhi.

2. State of Maharashtra  
through the Secretary,  
Home Department,  
Mantralaya,  
Mumbai.

3. Shri P. Subramaniam,  
Chief Secretary,  
Home Department,  
Mantralaya,  
Mumbai.

... Respondents.

4. The Chief Election Commissioner,  
Election Commission of India,  
New Delhi.

5. Prebhakar S. Tayade,  
Principal, R.P.T.S., Nagpur.

(By Advocate Shri V.S. Masorkar)

: ORDER :

| BY: SHRI M. R. KOLHATKAR, MEMBER (A) |

In this O.A. the applicant has challenged

his order of transfer dated 09.02.1998 placed at

Annexure-I transferring him from the post of S.P.

Railway, Nagpur to the post of Principal, R.P.T.S.,

Nagpur. The order states that the Government has





issued this order in consultation with the Election Commission. The applicant had filed a representation on 09.02.1998 requesting for change in his transfer order and <sup>him</sup> to a metro station area. The O.A. was filed on 12.02.1998. Admittedly therefore, the Government did not have time to consider his representation. The interim relief of stay on the transfer was not granted and it is noted that in terms of the transfer order, respondent no. 5, P.S. Tayade, has already reported at Nagpur and unilaterally taken charge. The applicant claims however that he has not handed over the charge and still holds the post of S.P. Railways, Nagpur.

2. The main grounds for challenging the transfer are that the transfer is vindictive, tainted with malice and is against the I.P.S. Cadre rules. The applicant has been working at Nagpur since 04.12.1995 and he has not completed 3 years in one post or 5 years in one district, which is a State Government rule relating to tenure. According to the applicant, the Election Commission was misled by the respondents, namely - Government of Maharashtra, to obtain its permission. There are persons like B.T. Deotale, Ravindra Kadam and the 5th respondent, who belong to State Cadre and were junior to the applicant and they ought to have been transferred. The transfer of the applicant is from a cadre post to a non-cadre post, which amounts to loss of status to the applicant. The transfer has also been ordered in the mid term

which would affect the education of his children (one son studying in 9th Standard and another son studying in 4th Standard).

3. Respondent No. 1 is a proforma party. Respondent No. 4, the Election Commission and Respondent No. 5, Prabhakar S. Tayade (officer posted in the place of applicant) have not chosen to file a reply. Respondent Nos. 2 and 3 have filed the reply. The respondents have opposed the O.A. The respondents have denied that the transfer is vindictive, tainted with malice and violative of statutory rules. According to the respondents, in view of the Lok Sabha Elections of 1998, the Election Commission of India had asked the State Government to effect transfers of Police Officers who were either posted in their home district or are working in the same district for more than four years. To implement the direction of the Election Commission, it was also necessary to shift some other officers to provide posting to the officers who were required to be transferred. In view of the directions of the Election Commission, in view of this as well as the fact that there were complaints against the applicant, and the applicant himself had requested the Director General of Police for a change to a non-executive post, his name was included in the proposal sent to the Chief Electoral Officer, and the Election Commission had approved the said proposal. The applicant has already been

relieved from the post. It is stated that the transfers have been effected due to election priorities and irregularities, if any, about cadre or non-cadre post would be corrected after the elections are over. It is admitted that the Respondent No. 5 is a non-cadre officer. It is further conceded that the name of T. B. Deotale, was left out due to an oversight. So far as R.G. Kadam is concerned, it is stated that his four years in Nagpur city would be over in June 1998.

4. In the rejoinder, the applicant has denied that he had at any time requested the Director General to transfer him to a non-executive post. He has also stated that there was any high handed behaviour or extortion by Railway Police as alleged by the Respondents. The applicant has referred to the State Government Circular dated 27.09.1997 which incorporates the policy relating to State Government transfers and it states that the transfers may normally be ordered in the month of May. Moreover, the transfers may not be ordered unless the Government employee has completed 3 years in a post or has completed 5 years in a district. He has also prayed that the applicant confines his relief to his retention at Nagpur till the current academic and year/for this purpose he relies on the judgement of the Hon'ble Supreme Court in the case of Director Of School Education, Madras & Others V/s. O. Karuppa Thevan & Another, reported in 1994 SCC (133) 1180.

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5. At the argument stage, the Learned Counsel for the applicant has invited my attention to the judgement of the Tribunal in C.A. No. 540/95 [ V.A. Goswami v/s Union Of India & Others ] decided on 27.06.1995. He also relies on the interim orders of this Tribunal in O.A. No. 576/96 in which reliance was placed in O. Karuppa Thevan's case. He also relies on the interim order in O.A. No. 142/94 given on 21.04.1995 in which it was stated that the Union Of India has not given permission to the State of Maharashtra to operate any post beyond one year, created by them, if any, by invoking provisions of the sub-rule (2) to Rule 4 of I.P.S. (Cadre) Rules.

6. I did not have the benefit of the oral submission of the Learned Counsel for the respondents at the argument stage because he had chosen, for his own reasons, to withdraw from the Court when the Learned Counsel for the applicant began to present his case. The Learned Counsel for the applicant, however, has taken me through the written statement of the respondents in extenso.

7. It is clear that the transfer of the applicant was not dictated by the guidelines of the Election Commission. The transfer of the officer was admittedly necessitated to implement transfer of certain other officers. The State Government has admittedly over-looked the names of certain other officers who had completed more than requisite years of service and who could have been posted in the place of the applicant at Narvaaj. The State Government has also stated that the question relating to cadre and non-cadre would be looked into later on, but the present transfer was required to be effected according to the priority of election. In my view, this submission of the State Government cannot be accepted. The State Government is not entitled to over-look the I.P.S. Cadre Rules while effecting transfers and Election Commission would certainly not condone such

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irregularities if pointed out. The State Government cannot also be heard to say that a particular name was not included in the transfer order through oversight. It is clear that the applicant was transferred for extraneous reasons. The applicant has denied that he had requested for a transfer to a non-executive post and it can only be surmised that the applicant was transferred because of complaints against him. If so, the transfer clearly suffers from legal malafides. The transfer order is, therefore, liable to be quashed and set aside.

8. After the case was reserved for judgement, the order of this Tribunal in O.A. No. 153/98 decided on 19.02.1998 was brought to my notice by a proxy for the Counsel for the respondents. That was a case in which the Tribunal chose not to interfere with the order of transfer because the transfer was made at the instance of the Election Commission. In the present case, it is clearly established that the applicant was not covered by the guidelines of Election Commission and was not liable to be transferred and prima-facie was in violation of I.P.S. Cadre rules. Moreover, the Election process is already over, therefore, that judgement does not help the respondents.

9. I am however, required to consider as to what relief to grant in the changed circumstances. On the one hand, the election process is over and on the other hand, the successor of the applicant has already taken over at Nagpur. The applicant has also confined

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his relief to retention at Nagpur till May 1990 i.e. till the end of the academic session. The request of the applicant is clearly covered by the judgement of the Supreme Court in O. Karuppa Thevan's case. I, therefore, dispose of the O.A. by passing the following orders :-

The O.A. is partly allowed and the order transferring the applicant from the post of S.P. Railway, Nagpur to the post of Principal, R.P.T.S., Nanveej, is quashed and set aside. The respondents are directed to retain the applicant at Nagpur till the end of May, 1990, viz. end of academic session. Since the successor of the applicant has already taken over the post, the respondents may accommodate the applicant in any available post at Nagpur. If there is no vacancy available at Nagpur, the respondents may treat the applicant as an compulsory waiting, the applicant being held entitled to the same facilities as he was in the previous position, including pay, his residential accommodation and residential telephone. The respondents are at liberty to transfer the applicant anywhere in Maharashtra after May, 1990 but while doing so, they may consider the request of the applicant to be posted in the metropolitan area in the interest of education of his children. The O.A. is disposed of in these terms with no order as to costs.

Certified True Copy.

Date 26/3/92

*[Signature]*  
Secretary  
Central Board of Secondary Education

*[Signature]*  
MEMBER (A).

*[Signature]*