

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH BANGALORE

DATED THIS THE SECOND SEPTEMBER OF 1986

Present : Hon'ble Shri Ch. Ramakrishna Rao - Member (J)
Hon'ble Shri L.H.A. Rego - Member (A)

APPLICATION No. 1591 of 1986

B.B. Balawadi
Junior Engineer
Hubli Telephones Division
Dharwar District

- Applicant

(Sri M. Raghavendra Achar, Advocate)

v

1. The General Manager
Telecommunications,
Karnataka Circle, Bangalore
2. Sub-Divisional Officer, Telephones
Dharwar

- Respondents

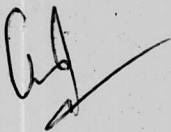
(Sri M.S. Padmarajaiah, Senior C.G.S.C.)

This application came to-day for hearing
before this Tribunal and Hon'ble Member (J), Shri
Ch. Ramakrishna Rao, made the following

O R D E R

The applicant who was working in the cadre
of Junior Engineers (JE) was transferred from the
Sub- Divisional Office Telegraphs, Gulbarga (SDOT) xx
to the office of the Divisional Engineer, Hubli as JE
on 9.10.82. This transfer was effected at the request
of the applicant and at his own cost. He was subsequently
transferred from Hubli to Karwar TE on 14.5.86. This

... transfer



transfer is challenged by the applicant.

2. Shri M.R. Achar, learned counsel for the applicant contends that his client belongs to the Schedule Caste; that there was misunderstanding between the second respondent and the applicant; that the former was in the habit of complaining against the latter; that the respondents ignored the fact that the applicant was working in a tenure post; that there were several others who were still working for more than a decade and, as such, the transfer is discriminatory; that the domestic difficulties of his client have altogether been ignored by the respondent in effecting his transfer which, in the circumstance, is liable to be set aside.

3. Shri M.S. Padmarajaiah, learned counsel for the respondents, submits that the transfer of the applicant has been effected by the respondents in the normal course and is based on administrative considerations; that the order was passed on 14.5.86, before the commencement of the academic year so as to avoid inconvenience; and that the retention of some other employees for a longer period does not confer on the applicant any right to question his transfer order.

4. After giving careful thought to the matter we are satisfied that the applicant has neither elaborated in his application about the nature of the misunderstanding alleged to have arisen between him and the second respondent nor has he given details of the so-called

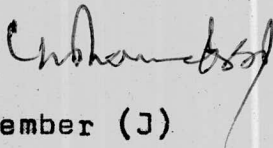
...complaints

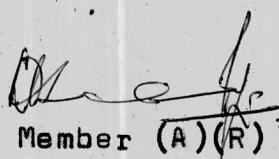


complaints which the second respondent was in the habit of making. In the absence of such details, there is no reason to infer that the order of transfer was not made in the normal course. It is not for this tribunal to examine the factors which weighed with the administration in effecting the transfer of its employees except in case where mala fides on the part of the authorities are alleged. Such an allegation has not been made in the present case. We are therefore satisfied that the impugned order of transfer does not suffer from any infirmity.

5. In the result the application is dismissed.

No order as to costs.


Member (J)


Member (A)(R) 2.12.78