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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No.83/90.

Shri Randhir Singh Saini. ... Applicant.
V/s.

Director General,
Geological Survey of India & Another. ... Respondents.

Coram: Hon'ble Vice-Chairman, Shri Justice Kamleshwar Nath,
Hon'ble Member(A), Shri M.Y. Priolkar.

Appearances:-

Mr. P.C. Marpakwar, Advocate
for the applicant.
Mr. V.S. Masurkar, Counsel
for the respondents.

ORAL JUDGMENT:-

Dated: 16.3.1990

(Per Shri Justice Kamleshwar Nath, Vice-Chairman)

We have heard the learned counsel for the applicant. He says that the applicant's transfer is mala fide because an officer from Calcutta Shri M.S. Chowdhary is sought to be brought in his place on request. Transfer on request is quite known to services and merely because such a transfer is made it does not constitute a legal ground of mala fides.

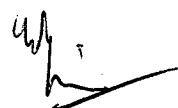
2. In para 12 of the application names of six Officers have been set out by the applicant who according to him have been working in the Central Region since before his posting there. The contention is that some of these persons could be transferred out instead of him. A transfer is essentially a matter of administrative exigencies and we are not satisfied that because a few persons of longer stay are available in the region the applicant should not be transferred out.

3. The impugned transfer order is dated 11/19th July,

...2.

1989. He appears to have been finally told by letter dated 16.1.1990, Annexure-VIII in reply to his repeated representations to proceed to the new station of his posting. The main problem which the learned counsel for the applicant refers to is the ensuing examination of the applicant's children.

4. On a consideration of the matters we do not find any merit in the application. The petition is dismissed in limine with an observation that the applicant would be permitted by the opposite parties to occupy the quarter presently in his possession for a period of two months from today. Copy of this order may be given to the Counsel for the applicant by the next working day of this Bench.


(M.Y. PRIOLKAR)
MEMBER (A)


16.3.90
(KAMLESHWAR NATH)
VICE-CHAIRMAN

Judgement dt. 16.3.90
Served on Applicants Adv^oal
& R.N. 2 on d^l 26.3.90
No
a/4190