

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

**~~NEW~~ BOMBAY BENCH**

O.A. No. 532/91  
~~XXXXXXXXXX~~

198

DATE OF DECISION 13.2.1992

Mrs. G.Y.Surve Petitioner

Shri R.R.Dalvi Advocate for the Petitioner(s)

Versus

Regional Provident Fund Commr. Bombay & Ors. Respondent

Shri R.K.Shetty Advocate for the Respondent(s)

**CORAM**

**The Hon'ble Mr. U.C.Srivastava, Vice Chairman**

**The Hon'ble Mr. M.Y.Priolkar, Member (A)**

1. Whether Reporters of local papers may be allowed to see the Judgement ? *N*
2. To be referred to the Reporter or not ? *N*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *N*
4. Whether it needs to be circulated to other Benches of the Tribunal ? *N*

*En*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY

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OA.NO. 532/91

Mrs.G.Y.Surve  
V/S.

... Applicant

Regional Provident Fund Commissioner  
Maharashtra & Goa, 341,  
Bhavishyanidhi Bhavan,  
Bandra (E), Bombay 400051.  
And others.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice U.C.Srivastava  
Hon'ble Member (A) Shri M.Y.Priolkar

Appearance

Shri R.R.Dalvi  
Advocate  
for the Applicant

Mr.R.K.Shetty  
Advocate  
for the Respondents

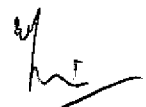
ORAL JUDGEMENT


Dated: 13.2.1992

(PER: U.C.Srivastava, Vice Chairman)

The applicant feeling aggrieved against the order of transfer to Sub-regional office, Nasik, ~~The applicant~~ has approached this Tribunal. The applicant, presently a Headclerk since 27-7-1989, ~~she~~ was transferred from the Regional Office at Bombay while she was only an Upper Division Clerk to sub-regional office Goa on 15th June 1982. She worked there for more than 7 years and continued even after her promotion as Head clerk on 27.7.1989. However, prior to her promotion as Head clerk she had applied for transfer back to the Regional office, Bombay due to the continued illness of her younger daughter and also because she could not afford to visit Bombay often and on and also because her husband is a Central Government servant working in Government medical stores, Bombay and as such they were hard-pressed for having to maintain two establishments, one in Bombay and another in Goa. After repeated requests she was brought back to Bombay on 4.8.1989. But she has been again transferred after a short spell of 1½ years to sub-regional office.

According to the respondents, the respondents have clearly and curtly stated that the applicant on her own option agreed to go to Goa and that is why she was transferred to Goa. ~~It may be~~ Under what circumstances the applicant agreed to go to Goa is not known to us. But this much <sup>is certain that</sup> ~~is~~ appeared <sup>have</sup> ~~that~~ the applicant <sup>may</sup> ~~may~~ under <sup>some</sup> ~~any~~ circumstances agreed to go to Goa. But, thereafter, the applicant made a request that she may be transferred to Bombay and taking into consideration the pleas raised by her, she had <sup>back to Bombay from</sup> been transferred ~~to~~ Goa. The grievance of the applicant is that within a short spell of 1½ years she has been sent out to Nasik and others have been favoured. The applicant has given instances of certain persons who were retained at a particular place of posting on the ground that they belong to that place and she has given the names of Mrs.V.V.Dande, Miss.A. Pradhan, Mr.Honavar, Mr.H.T.Bomble, Mr.P.T.Bhoigade, Mr.B.A.Bansod and Mr.B.Y.Khaparde. The transfer orders are passed in the exigencies of situation but the transfer of the applicant within 1½ years from Bombay where she was transferred back from Goa is somewhat not understandable and the position in this behalf has not been made very clear by the respondents. However, as the transfer order is passed in exigency of situation, we do not propose to interfere in the transfer matter but in case the applicant files a fresh representation within two weeks, the respondents shall consider the same sympathetically taking into consideration the previous instances and the ground on which she was transferred back from Goa to Bombay. With this the application is disposed of finally.

  
(M.Y. PRIOLKAR)  
MEMBER (A)

  
(U.C. SRIVASTAVA)  
VICE CHAIRMAN