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CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

OA 596/1992

Date of Order : 16.9.92

Mahendar Nath Seth

... Applicant

Mr.K.L.Thawani

... Counsel for the Applicant.

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Union of India & Ors.

... Respondents.

THE HON'BLE MR. GOPAL KRISHNA, JUDL. MEMBER :-

Applicant Mahendar Nath Seth has filed this application under Section 19 of the Administrative Tribunals Act, 1985, (for short, the Act) praying therein that the impugned order dated 12.5.1992, Annexure-A/1 keeping the transfer orders by mutual exchange in abeyance be quashed, the respondents be directed to implement the transfer order dated 3.8.1992, Annexure-A/2 and recall one of the juniors posting the applicant in that vacancy or in the next vacancy which is likely to occur on 30.9.1992 due to retirement.

I have heard the learned counsel for the applicant, and carefully perused the records.

The contention of the applicant is that he is working as LSG Sorting Assistant, RMS at the City Sorting Office, Gandhi Nagar, Jaipur and he has remained out of Delhi from 1983. The applicant has been requesting since 1987 for his transfer to Delhi

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and when there were some vacancies in the Record Office there he was transferred to Delhi vide an Order dated 3.8.1992 Annexure-A/2. It is true that the request of the applicant was acceded to by the Chief Post Master General, Rajasthan Circle, Jaipur and approval was accorded vide his Memo dated 1.4.92 Annexure-A/4. It is submitted by the learned counsel for the applicant that persons junior to him are being posted at Delhi and the applicant was not deliberately relieved so that he could not join at Delhi in pursuance of the order of transfer Annexure-A/2 which ~~w~~ has now been kept in abeyance. The applicant has not made any representation regarding his grievance to the concerned authority as envisaged by Section 20 ~~of~~ of the Act. Normally postings are not based on seniority. No statutory rule has been brought to my notice compelling the Department to transfer only the senior most or the junior most. No incumbent has a right to any particular posting.

I ~~xxxn~~ find no merits in the application. This application is, therefore, dismissed at the admission stage with no order as to costs.

C. Krishna
16.9.92
(GOPAL KRISHNA)
Judl. Member

Shashi/