

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH AT
HYDERABAD

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TRANSFERRED/ORIGINAL APPLICATION NO.499 of 1989

DATE OF ORDER: 20th December, 1989

BETWEEN:

Mr. K.Subash

APPLICANT(S)

and

The Director of Training,
Directorate General of Employment &
Training, New Delhi and 3 others

RESPONDENT(S)

FOR APPLICANT(S): Mr.D.Goverdhana Chary, Advocate

FOR RESPONDENT(S): Mr. E.Madan Mohan Rao, Addl. CGSC

CORAM: Hon'ble Shri ~~R.Balasubramanian~~ R.Balasubramanian, Member (Admn.)

1. Whether Reporters of local papers may be allowed to see the Judgment? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgment? No
4. Whether it needs to be circulated to other Bench of the Tribunal? No
5. Remarks of Vice-Chairman on columns 1,2,4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench)

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JUDGMENT OF THE TRIBUNAL DELIVERED BY HON'BLE SHRI BALASUBRAMANIAN,
MEMBER (ADMN.)

This application has been filed by Shri K. Subash against the Director of Training, Directorate General of Employment & Training and three other respondents of whom the respondent No.4 is a private respondent. The applicant feels aggrieved by his transfer from Vidyanagar office to Ramanthapur office on the ground that he is the junior most in the Vidyanagar office. It is his contention that he is not the junior most in Vidyanagar office and that the 4th respondent is junior to him. He has prayed that the impugned order No.A/17011/4/87/Adm.I/384 dated 22.5.1989 issued by the Vidyanagar office transferring him to Ramanthapur be quashed.

2. The respondent No.2, in his counter has stated that transfers can always be ordered in public interest. He has further gone ahead and stated that the transfer had to be ordered to avert reversion of the applicant since he is the junior most in the unit and would otherwise have to be reverted. In denying the applicant's statement that his juniors are retained in Vidyanagar office, he has categorically stated that the applicant is the junior most and no junior to the applicant had been retained in the Vidyanagar office.

3. I find from the records as well as the arguments of both the learned counsel for the applicant and Shri E. Madan Mohan Rao, the learned Standing counsel for the respondents/ Department that the issue is not merely one of transfer but

To:

1. The Director of Training, Directorate General of Employment & Training, Ministry of Labour, New Delhi-1.
2. The Director, Advanced Training Institute, Vidyanagar, Hyderabad.
3. The Director, Advanced Training Institute(EPI) Ramanthapur, Hyderabad.
4. One copy to Mr.D.Goverdhana Chary, H.No.1-1-80/20,R.T C. 'X' Roads, Hyderabad-500 020.
5. One copy to Mr.E.Madan Mohan Rao, Addl.CGSC,CAT,Hyderabad for RR 1 to 3.
6. One spare copy.

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also the question of seniority of the ~~official~~ vis-a-vis others. Since the prayer is restricted only to ^{the} transfer aspect, I will also confine myself to the transfer aspect only. It is seen from the counter that the applicant, in compliance ^{with} of the orders issued, has already joined at Ramanthapur office. I am of the opinion that transfers in public interest are always within the powers of the administration and, therefore, I uphold the transfer order as such. As regards the grounds of the transfer which relate to seniority, I have not gone into the subject because this is not the subject for a single bench. Moreover, there is no prayer as such from the applicant. If the applicant feels aggrieved on this aspect, he is at liberty to agitate this matter in a fresh application to be placed before a division bench.

4. In the result, the application fails with the above directions. There will be no order as to costs.

(Dictated in the open Court)

R. Balasubramanian

(R. BALASUBRAMANIAN)
Member (Admn.)

Dated: 20th December, 1989.

S. Venk
DEPUTY REGISTRAR.

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