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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL-APPLICATION-NO.957-of-1996

DATE-OF-ORDER:-6th-March,-1997

BETWEEN:

T.SATYA NARAYANA MURTHY

.. APPLICANT

AND

1. The Director,  
Central Research Institute of Dryland  
Agriculture, Santoshnagar,  
Hyderabad 500059,
2. The Sr.Administrative Officer,  
Central Research Instt. for Dryland Agril.,  
Hyderabad 59,
3. The Director General,  
Indian Council of Agricultural Research,  
New Delhi 110 001.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.K.K.CHAKRAVARTHY

COUNSEL FOR THE RESPONDENTS: Mr.N.R.DEVARAJ,Sr.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri K.K.Chakravarthi, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant in this OA while working as Senior Clerk in Hayatnagar Research Farm (HRF) was transferred to the Gunegal Research Farm (GRF) by the impugned order

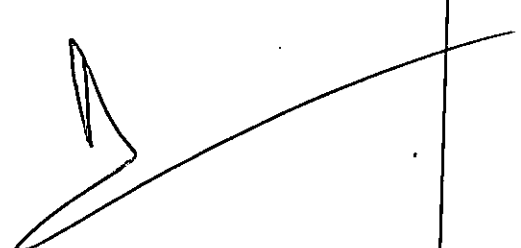
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NO.SAO/Official/94 dated 2.12.94 (Annexure A-1 of the OA).

This order is challenged in this OA.

3. In a similar case of transfer of one Shri N.Ramakrishna who challenged his transfer to GRF from HRF filed OA 1400/93 on the file of this Bench. That OA was dismissed by the order dated 6.11.93 for the reasons stated in that order. The reason given by the Tribunal for dismissal of the OA has been extracted in Pages 2 and 3 of the reply statement. However, the case of Shri N.Ramakrishna was reconsidered by the respondent-authorities on the ground of hardship due to his transfer to GRF and he was brought back to HRF. Vice Shri N.Ramakrishna, the applicant is now posted to GRF by the impugned order dated 2.12.94. Under the above circumstances, it is not necessary to go into the various contentions.

4. Transfer is an incidence of service. The applicant has got right for representing his case to bring him back to HRF. In the case of Shri Ramakrishna when he submitted representation for bringing him back to HRF from GRF, that was considered by the respondents. In the same way, the case of the present applicant also may be considered by R-1 if he submits a representation in regard to his transfer back to HRF. We have no doubt in mind that the respondents will consider his case sympathetically on the basis of the facts and circumstances of his case, if the applicant submits a suitable representation giving reasons for his retransfer back to HRF. If the representation is received, the same should be disposed of



5. The OA is disposed of as above with the above observation. No order as to costs.

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DY. Reg. Stron. (S)

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## Copy to:-

1. The Director, Central Research Institute of Dryland Agriculture, Santoshnagar, Hyd.
2. The Sr. Administrative Officer, Central Research Instt. for Dryland Agril., Hyd.
3. The Director General, Indian Council of Agricultural Research, New Delhi.
4. One copy to Sri. K.K.Chakravarthy, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Bevaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-