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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.1464/97

dt.4-11-1997

A.V. Joseph

: Applicant

and

1. Director, Quality Assurance (Armaments)  
Dept. of Defence Production (DGQA Arm-I)  
Min. of Defence, Govt. of India  
New Delhi

2. Senior Quality Assurance Officer  
Sr. Quality Assurance Estt.(Armament)  
Gymhana Raod, Picket  
Secunderabad

: Respondents

Counsel for the applicant

: S. Ramakrishna Rao  
Advocate

Counsel for the respondents

: V. Rajeswara Rao  
CGSC

CORAM

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

OA.1464/97

dt.4-11-1997

## Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn.))

Heard Mr. S. Ramakrishna Rao for the applicant and Mr. V. Rajeswara Rao for the respondents.

1. The applicant, who was working as Chargeman-Grade I, in the office of Respondent-2, was transferred and posted to a similar office in Tiruchirappalli. The impugned order of transfer bears an endorsement which has a cryptic reference to a vigilance note. The entire gamut of arguments submitted by Mr. S. Ramakrishna Rao centres around the point that the impugned transfer is punitive inasmuch as the move appears to have a link with some vigilance case. Very elaborate arguments were made on behalf of the applicant almost solely on this aspect. One of the incidental grievances of the applicant was he was transferred before the completion of his tenure in the present post.

2. Respondent-1, who was earlier directed in OA.649/97 to dispose of the applicant's representation dated 8-5-1997, has since communicated his decision to the applicant. The circumstances leading to the transfer of the applicant can be regarded as having been adequately explained therein. It is clearly mentioned that the transfer of the applicant is a routine move in public interest and not in any way punitive. It has also been clarified that the competent authority was convinced that no *prima-facie* case of any nature with 'vigilance' overtones or connotation exists against the applicant. I consider this a satisfactory and reasonable

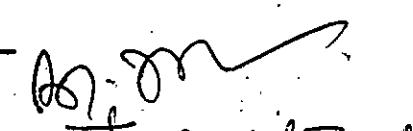
clarification. Nothing remains to be said or added after this disclosure.

3. The only fear repeatedly expressed by the applicant is that the existence of <sup>an</sup> undisclosed vigilance, note, or any details pertaining thereto (mentioned in the impugned order) might militate against his future promotion to the post of Assistant Foreman which, the applicant expects, is due to materialise shortly. In view of the clear statement made on behalf of the Respondents that no case exists against the applicant at this stage, this apprehension cannot possibly form <sup>a</sup> valid ground for denial of promotion in the normal course if he is found otherwise fit and eligible for it.

4. On the above note of reassurance the OA is disposed of as lacking in merit and one not warranting any interference from this Tribunal. No costs.

  
(H. Rajendra Prasad)  
Member (Admn.)

Dated : November 4, 97  
Dictated in OpenCourt

  
Deputy Registrar

sk

97.

1. The Director, Quality Assurance (Armaments)  
Dept. of Defence Production (DGQA Arm-I)  
Min. of Defence, Govt. of India, New Delhi.
2. The senior Quality Assurance Officer,  
Sr. Quality Assurance Estt. (Armament) Gymkhana Road,  
Picket, Secunderabad.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT. Hyd.
4. One copy to Mr. V. Rajeswar Rao, Addl. OGSC. CAT. Hyd.
5. One copy to Mr. HHRP. M. (A) CAT. Hyd.
6. One copy to D.R. (A) CAT. Hyd.
7. One spare copy.

pvm

18/11/97  
I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE.  
VICE-CHAIRMAN

And

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

DATED:- 6/11/97

ORDER/JUDGMENT.

M.A.,/RA.,/C-A.No.:

in

O.A.No.

1464/97

T.A.No.

(W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No order as to costs.

