

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

CA No. 143/94 : Date of order 29-03-94

Gobri Lal Meena : Applicant

V/s

Union of India & Ors : Respondents

Mr. M.L. Pareek : Counsel for the applicant

CORAM

Hon'ble Mr. Gopal Krishna, Member (J)

Hon'ble Mr. O.P. Sharma, Member (A)

AS PER HON'BLE MR. O.P. SHARMA, MEMBER (A)

Shri Gobri Lal Meena has filed this application u/s 19 of the Administrative Tribunals Act, 1985, wherein he has prayed that the order dated 4/7-2-94 Annexure A-1 whereby the post of EDDA Lakhari held by the applicant was diverted to Bundi city with new designation <sup>of</sup> EDSV may be quashed and the respondents may be directed to allow the applicant to continue as EDDA Lakhari with all consequential benefits.

2. The applicant was appointed as EDDA Lakhari vide order dated 11.6.84 Annexure A-3. Vide order dated 4/7-2-94, the post of EDDA Lakhari was diverted to Bundi city and it was redesignated as EDSV. The applicant handed over the charge of his post at Lakhari, which has been kept vacant after the transfer of the applicant, as seen from Annexure A-5 dated 18.2.94. The learned counsel for the applicant states that the incumbent of the post of EDDA is not transferable to another place. Moreover, according to him, Bundi city is about 70 kilometres from Lakhari and it would, therefore, cause great inconvenience to the applicant to join at his new place of posting. Further, according to him, functioning as EDDA is not only the source of applicant's income and it is not expected to be <sup>either</sup> transfer to Bundi city will deprive him of the opportunity to earn additional income at Lakhari, to maintain himself and his family. He has also argued that the new post offered to him at Bundi is a lower post.

(3)

3. We have heard the learned counsel for the applicant and have gone through the records.

4. It appears from the order Annexure A-1 dated 4/7-2-94 that the post of EDDA was not required at Lakhari and in these circumstances the respondents offered an alternative post of EDSV to the applicant in order that he does not remain out of employment. Annexure A-5 dated 18.2.94 which is the charge handing over report of the applicant at Lakhari shows that the post of EDDA has been kept vacant at Lakhari. It is not that the said post has been filled up by some other person. In these circumstances, we do not find anything irregular per se in the respondents' transferring the applicant to Bundi along with the post of EDSV.

5. As regards the issues raised by the applicant such as the inconvenience caused to him on transfer and inability to earn additional income on account of transfer to Bundi city, the learned counsel for the applicant states that he shall make a representation to the respondents setting out his grievances in this regard. As & when such a representation is made, the respondents will no doubt consider it in accordance with the rules & procedure prescribed in such matters.

6. With these observations, the OA is disposed of at the admission stage, with no order as to costs.

(O.P. SHARMA)  
Member (A)

Gopal Krishna  
(GOPAL KRISHNA)  
Member (J)