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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH
J A I P U R .

OA 455/94

Date of order: 13.12.95

Prakash Manwani

: Applicant

versus

Union of India and others

: Respondents

Mr. R.N.Mathur, counsel for the applicant
None for the respondents

CORAM:

HON'BLE SHRI O.P.SHARMA, MEMBER (ADMINISTRATIVE)

O R D E R

(PER HON'BLE SHRI O.P.SHARMA, MEMBER (ADMINISTRATIVE))

In this application under Section 19 of the Administrative Tribunal's Act, 1985 Shri Prakash Manwani has prayed that order dated 25.8.1994 (Annexure A-1) by which the applicant was transferred from Ajmer to Rana Pratap Nagar may be quashed and the respondents may be directed not to transfer the applicant to Rana Pratap Nagar, Udaipur or any other place.

2. The applicant was appointed on the post of Depot Store Keeper Gr.III vide order dated 2.3.1991 and was posted at Gandhi Dham. On his request, in view of his personal difficulties he was transferred to Ajmer on 11.6.1992. Subsequently, the applicant was placed under suspension on 6.11.1992 but the suspension order was later revoked. Various disciplinary proceedings were initiated against him and some minor penalties have also been imposed on him. The applicant's case

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is that the order of transfer Annexure A-1 dated 25.8.1994 passed is as a result of conspiracy of respondent No.3 Shri Rakesh Mohan Gupta, Dy. Controller of Stores, General Store, Western Railway, Ajmer with Shri Mukesh Rajawat, Assistant Controller of Stores, General Store, Western Railway, Ajmer respondent No.4.

3. The respondents in their reply have denied that the transfer of the applicant was as a result of any conspiracy as alleged by the applicant. They have added that the applicant has already joined duty at Rana Pratap Nagar. They have further stated that the applicant was in the habit of creating problems for his fellow workers and he was facing disciplinary proceedings on various counts for ~~his~~ ^{acts of} omission and commission.

4. I have heard the learned counsel for the applicant and have gone through the material on record. The averment that the applicant has already joined duty at Rana Pratap Nagar remains unrebuted. I do not find any substance in the allegation that the transfer of the applicant was as a result of any conspiracy hatched against him by any of the respondents. Considering the record of service of the applicant and other facts and circumstances of the case, no interference is called for with the order of transfer.

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5. The O.A. is dismissed with no order as to costs.

6. M.A.No.31/95 containing a prayer for interim relief has become infructuous and is also therefore dismissed. M.A. is disposed of accordingly.

(O.P.SHARMA)
MEMBER (A)