

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH : JAIPUR

Date of order : 05.02.2002

O.A. No. 88/97

Vijay Pal Singh son of Shri Dori Singh by caste Rajput, aged about 48 years resident of C/o. 198 LB Railway Colony, Gangapur City, Distt. Sawai Madhopur (Rajasthan) and presently Inspector of Works, Sawai Madhopur, Kota Division, Western Railway, Sawai Madhopur (Rajasthan).

... Applicant.

versus

1. Union of India through the General Manager, Western Railway, Church Gate, Bombay.
2. Divisional Railway Manager (Establishment), Western Railway, Kota.
3. Shri P.P. Johari, I.O.W. Grade-II, Western Railway, Kota.
4. Shri Shanti Lal, I.O.W. Grade-II, Western Railway, Shamgarh.
5. Shri Gauri Shanker, I.O.W. Grade - II, Western Railway, Kota.
6. Shri H.K. Mahawar, I.O.W. Grade-II, Western Railway, Kota.
7. Shri Malla Ram Meena, I.O.W. Grade-II, Western Railway, Baran.

... Respondents.

Mr. Rajendra Prasad, learned counsel for the applicant.

Mr. Hemant Gupta, Adv, Brief holder for Mr. M. Rafiq, Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice O.P. Garg, Vice Chairman

Hon'ble Mr. A.P. Nagrath, Administrative Member

: O R D E R :

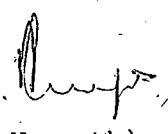
(Per Hon'ble Mr. Justice O.P. Garg, Vice Chairman)

Heard Shri Rajendra Prasad, learned counsel for the applicant and Shri Hemant Gupta, holding brief for Mr. M. Rafiq, learned counsel for the respondents.

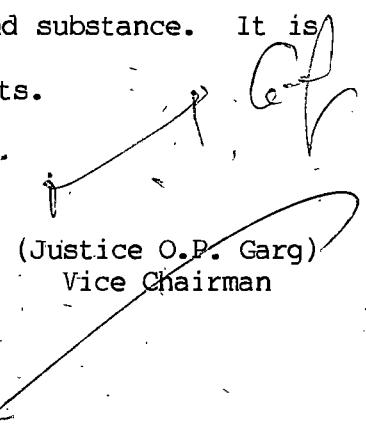
2. The applicant at the relevant time was posted as Inspector of Works (IOW) Grade-II at Sawai Madhopur. In pursuance of the impugned order dated 24.02.97 (Annexure A/1), he was transferred from Sawai Madhopur to Kota consequent upon the upgradation of the post of IOW Grade-II to Grade-I at Sawai Madhopur. The applicant, therefore, could not continue at Sawai Madhopur on the post of IOW-II. It is in these circumstances, the applicant has come before this Tribunal under Section 19 of the Administrative Tribunals Act, 1985.

3. After having heard the learned counsel for the parties, we find that the applicant has no case on merits. He could not have continued at Sawai Madhopur as the post on which he was working, has been upgraded. This necessitated his transfer from Sawai madhopur to Kota. The applicant was holding a transferable post. The transfer is, therefore, a normal incident of service. Kota is a place, which is quite close to Sawai Madhopur. We find that the order of transfer cannot be faulted on any ground whatsoever.

4. The O.A. is devoid of any merits and substance. It is accordingly dismissed with no order as to costs.


(A.P. Nagrath)
Adm. Member

cvr.


(Justice O.P. Garg)
Vice Chairman