

Date of Decision: 10.12.1998

OA 220/98

Brijpal Chawla, Ex Despatch Rider in the office of the Station Superintendent, Inter-state Police Wireless Station, near Rajasthan Secretariat, Jaipur, and since transferred to Mumbai.

... Applicant

Versus

1. Union of India through the Secretary, Ministry of Home Affairs, New Delhi.
2. Director, Police Telecommunications, Directorate of Coordination (Police Wireless), Block No.9, CGO Complex, Lodi Road, New Delhi.
3. Joint Director, Directorate of Coordination (Police Wireless), Block No.9, CGO Complex, Lodi Road, New Delhi.
4. Station Superintendent, Inter State Police Wireless Station, Near Rajasthan Secretariate, Jaipur.
5. Kamlesh Deka, Director (P), Police Telecommunications, Directorate of Coordination (Police Wireless), Block No.9, CGO Complex, Lodi Road, New Delhi.
6. M.S.Popli, Joint Director, Directorate of Coordination (Police Wireless) Block No.9, CGO Complex, Lodi Road, New Delhi.
7. Ramnarain, Despatch Rider, Inter State Police Wireless Station, near Rajasthan Secretariat, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... None

For the Respondents

... Mr.V.S.Gurjar

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Brijpal Chawla, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, challenging his posting as a Despatch Rider in the Inter State Police Wireless Station, Mumbai.

2. None is present for the applicant despite the fact that the case was listed for admission today. Heard the learned counsel for the respondents. Records of the case have been carefully perused.

3. Applicant's case is that he was appointed as Air Conditioning Mechanic and was transferred from Delhi to Jaipur by an order dated 28.6.1988. On the abolition of the post of Air Conditioning Mechanic at Jaipur, the applicant.

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joined at Bhopal. Thereafter, on his own request, he was selected as a Despatch Rider and posted at Jaipur. It is stated by him that he has an ailing old mother of about 80 years of age and she has lost her eye-sight. The wife of the applicant is serving as a 3rd Grade Teacher in the State Government at Bagru. The applicant joined at Mumbai under certain compelling circumstances stated by him in the body of the application. He has submitted an application dated 20.4.1998 for his posting at Jaipur but no reply has been received. The respondents, on the other hand, have stated that no assurance was given to the applicant that he shall be kept at Jaipur in the grade of Despatch Rider forever. The post of Despatch Rider is a transferable post all over the Inter State Police Wireless Stations in India as well as headquarters at New Delhi. Since the applicant has joined at Mumbai on 25.3.1998, he may make a fresh representation to the concerned authorities regarding his transfer to Jaipur or any other place of his choice.

4. In the circumstances, the order of posting at Mumbai does not appear to be illegal or mala fide. The OA is, therefore, dismissed at the stage of admission. No order as to costs.

G. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

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