

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 06.07.99

OA No.197/99

Ashok Kumar Singh S/o Shri Ghandhyam Singh, aged 38 years, resident of Shanti Bhawan, Behind Police Station, Dadwana, Kota Junction.

.. Applicant

Versus

- 1. Central Soil and Water Conservation Research and Training Institute, 218, Kaulagarh Road, Dehradun, through its Director.
- 2. Senior Administrative Officer, Central Soil and Water Conservation Research and Training Institute, 218, Kaulagarh Road, Dehradun.
- 3. Head, Central Soil and Water Conservation Research and Training Institute, Kota

.. Respondents

Mr.Amitabh Bhatnagar, Counsel for the applicant

Mr. Sanjay Pareek, counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant, Ashok Kumar Singh, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, challenging his transfer from the Central Soil and Water Conservation Research and Training Institute, Research Centre, Kota to the Central Soil and Water Conservation Research and Training Institute, Research Centre, Bellary vide Ann.A1 dated 13.4.1999.

Cp Krishna


2. We have heard the counsel for the parties and have perused the records. The counsel for the parties have agreed

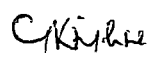
to this matter being disposed of at the stage of admission.

3. The applicant is presently serving as a Scientist (Engg.) in the Central Soil and Water Conservation Research and Training Institute, Research Centre, Kota. His challenge to the transfer order is based on a number of grounds. His contention is that the transfer is in contravention of the transfer policy and since he had led some agitation against Shri S.N.Prasad for his illegal and arbitrary action, he was picked up for transfer to a far off place namely Bellary. It is also stated by the applicant that his father who had retired in the year 1997 is staying at Jodhpur. He is old and ailing and needs the applicant to attend upon him. It was due to his father's ailment that the applicant had earlier requested to the concerned authorities for his inter-Institute transfer vide Ann.A4 dated 23.4.98.

3. The respondents have stated that the transfer of the applicant to Bellary has been made in public interest and in the exigency of service. The applicant has admittedly not made any representation to the respondent No.1 regarding the impugned order at Ann.A1 dated 13.4.99.

4. In the circumstances, we dispose of this application with a direction to the applicant to make a representation to the respondent No.1 against the transfer order within a period of 7 days from the date of this order, and if the same is made within the stipulated period, the respondent No.1 shall decide the same through a detailed speaking order, keeping in view the relevant rules, instructions and guidelines on the subject. The respondents are directed to retain the applicant at Kota till a decision is taken on his representation. No order as to costs.


(N.P.NAWANI)
Adm. Member


(GOPAL KRISHNA)
Vice Chairman