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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 02.02.1999

OA 38/99

Kishanlal Kaushik, Small Industries Promotion Officer (Statistics), Small Industries Service Institute, Ministry of Industry, Jaipur.

... Applicant

Versus

1. Union of India through Secretary to the Govt., Department of Small Scale Industries, Ministry of Industry, New Delhi.
2. Development Commissioner, Small Scale Industries, 705, A Wing, Maulana Azad Road, New Delhi.
3. Director, Small Industry Service Institute, 22 Godown, Industrial Estate, Jaipur.
4. K.V.Irniraya, Development Commissioner, Small Scale Industries, 705, A Wing, Maulana Azad Road, New Delhi.
5. Vijai Kumar, Dy. Director (Mech) SISI o/o Development Commissioner, Small Scale Industries, 705, A Wing, Maulana Azad Road, New Delhi.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr. K. L. Thawani

For the Respondents

... Mr. Asgar Khan, brief holder
for Mr. M. Rafiq

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Kishanlal Kaushik, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for quashing the transfer order dated 20.10.1998, at Annexure A-1, by which he was transferred to Ahmedabad on the post of Small Industries Promotion Officer (Statistics).

2. Heard the learned counsel for the applicant and Mr. Asgar Khan, Advocate, brief holder for Mr. M. Rafiq, counsel for the respondents. Records of the case have been carefully perused.

3. The contention of the applicant is that the transfer order having been passed on the report of the Deputy Director (Mechanical), S.I.S.I., is arbitrary since the Deputy Director had developed ill-will against the applicant when he was working with him as an Assistant Director at Jaipur. It is also stated that the order of transfer is neither in the interest of service nor is it in the exigency of service. The applicant has sought his

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retention at Jaipur till the academic session of his children is over in the month of June, 1999. The respondents have stated in their reply that they are willing to retain the applicant at Jaipur by making appropriate administrative arrangements as no vacancy is available at Jaipur in the relevant cadre at this juncture. The applicant has made a commitment that he will join his new place of posting at Ahmedabad after the academic session of his children is over by the end of June, 1999.

4. In the result, this application is disposed of, at the stage of admission, with a direction to the respondents to retain the applicant at Jaipur till the month of June, 1999. The applicant is directed to join his new place of posting at Ahmedabad on his being relieved after the end of the academic session in June, 1999. No order as to costs.

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK