

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 457 of 2003

Jabalpur, this the 25th day of August, 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman(Judicial)
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Hukumsingh S/o Late Shri Nandram,
aged 57 years, UDC - Cashier,
Employees States Insurance Corporation,
R/o Mainwali Galli, In front of
Old High Court Building, Gwalior

APPLICANT

(By Advocate - Shri K.N. Pethia)

VERSUS

1. Director General,
Employees State Insurance
Corporation, Panchdeep
Bhawan, Kotia Road,
New Delhi.
2. Regional Director,
Employees State Insurance
Corporation, Panchdeep
Bhawan, Nanda Nagar,
Indore
3. Shri Rajendra Yadav, UDC
Employees State Insurance
Corporation, Regional Office,
Panchdeep Bhawan, Nanda Nagar
Indore

RESPONDENTS

(By Advocate - Shri Bhagwan Singh holding brief of
Shri Rohit Arya)

O R D E R (ORAL)

By Anand Kumar Bhatt, Administrative Member -

This OA has been presented by the applicant
Hukum Singh against transfer order dated 3.7.2003
(Annexure-A-1) transferring him from Gwalior to Raipur.

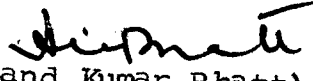
2. The grounds taken by the applicant are that
his junior respondentst No. 3 has been retained; the
order of transfer is invalid as he has got only 3 years
to go before reaching the age of superannuation; and
he has some family obligations also.

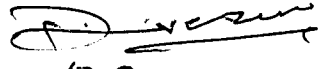
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3. On the other hand learned counsel for the respondents has asserted that on opening of a new office at Raipur, after formation of the new State of Chhattisgarh, options were asked from the employees posted at erstwhile State in Madhya Pradesh for their posting in Chhattisgarh State. When the total vacancies could not be filled up by this way, and some more officers had to be posted to the new office, some people have been posted at Raipur on rotational basis for one year and after one year they will be brought back at their original place of posting. As regards respondents No. 3 Shri Rajendra Yadav, it has been stated that he is the General Secretary of the Union and as per the facilities for the Trade Union leader, he has not been transferred.

4. We have heard the learned counsel for the parties. The applicant's post carries transfer liability and it is not that the applicant has been permanently transferred. The transfer of the employees to Raipur is on rotation basis as is clear from Annexure R-3. The learned counsel for the respondents has submitted that after completion of one year of the applicant at Raipur, he ^{may} ~~will~~ be transferred back to Gwalior. As such OA does not have any merit.

5. However, it is provided that the applicant may be given leave due to him for the period he has been relieved from Gwalior office to join Raipur Office, after availing the normal joining period applicable, in case he joins the Raipur office within the coming two weeks. With this observation the OA is dismissed. No costs.


(Anand Kumar Bhatt)
Administrative Member


(D.C. Verma)
Vice Chairman (Judicial)