

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 14th day of October, 2010

ORIGINAL APPLICATION NO. 384/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Anil Kumar Jain son of Shri Dull Chand Jain, aged about 43 years, working as Junior Engineer (Civil) under Executive Engineer JCP-I, CPWD, Jaipur. Resident of B-57, Triveni Nagar, Gopalpura, By Pass, Jaipur.

.....Applicant

(By Advocate: Mr. Nand Kishore)

VERSUS

1. Union of India through Superintending Engineer Coordination Circle (Civil), N.R. East Block-I, Level VI, R.K. Puram, New Delhi.
2. Superintending Engineer, Jaipur Central Circle, CPWD, Nirman Bhawan, Sector No. 10, Vidhyadhar Nagar, Jaipur.
3. Executive Engineer, Jaipur Central Division I, CPWD Kendriya Sadan Parisar, Block A, Sector 10, Vidhyadhar Nagar, Jaipur.

.....Respondents

(By Advocate: Mr. Mukesh Agarwal)

ORDER (ORAL)

The applicant has filed this OA thereby praying for quashing of the impugned order dated 16.06.2010 (Annexure A/1) so far as the applicant is concerned whereby he was transferred from Jaipur to Jodhpur. The applicant has also filed a representation against the transfer order. However, the same was rejected by the respondents. The grievance of the applicant in this case is that the transfer has been made in mid academic session; as such the order of transfer is bad. It is further pleaded that there are several vacant posts of Junior Engineer (Civil) under respondent no.3 where the applicant could be

accommodated. While issuing the notices, this Tribunal had not granted any stay.

2. The respondents have filed reply. It is stated that the applicant had completed 6 years of tenure at Jaipur as he was working since 26.05.2003. It is further stated that in view of the stay of the applicant, which is about 7 years, the competent authority has transferred the applicant from Jaipur to Jodhpur. The respondents have also stated that on the oral request of the applicant, he was not relieved till his reliever joined the duty. According to the respondents, Ms. Kavita Yadav, the reliever had submitted her joining on 19.08.2010 (Annexure R/2), as such the applicant was relieved vide order dated 19.08.2010.

3. Learned counsel for the respondents submits that even the applicant had joined at the new place of posting and this fact has not been disputed by the learned counsel for the applicant.

4. Thus in view of what has been stated above and the fact that the impugned order of transfer has been implemented, more particularly, the applicant had joined at the new place of posting, it is not proper for this Tribunal to interfere with the order of transfer. Accordingly, the OA is disposed of with no order as to costs.


(M.L. CHAUHAN)
MEMBER (J)

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