

**Central Administrative Tribunal
Principal Bench**

OA No.181/2017

New Delhi, this the 16th day of January, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Ms. Nita Chowdhury, Member (A)**

Madhu Bala
Aged about 57 years,
Assistant Adviser NSS Regional
Directorate of NSS
15/11 Jamnagar House
New Delhi.

- Applicant

(Applicant is present)

VERSUS

Union of India through
Secretary
Ministry of Youth Affairs
Shastri Bhawan,
Delhi.

- Respondent

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman:

The applicant is working as Assistant Program Adviser in the Ministry of Youth Affairs & Sports and was posted at Regional Directorate of NSS, New Delhi.

2. Vide impugned order dated 02.01.2017 (Annexure A-1), she was transferred to Directorate of NSS, New Delhi. She has challenged this transfer order alleging that in past she had been transferred five times in six years. It is also the case of the applicant that she is 57 years old widow lady having one unmarried daughter, and her own house is in Chandigarh. She perhaps wants to be transferred to Chandigarh.

3. It is also alleged that a junior most officer has been transferred at her place of posting. Her further allegations are that the Regional Directorate where she is presently working has a budget of 38 lacs and because of this budget, she was earlier transferred. It is further alleged

that she has been threatened for further transfer to Ahmadabad or somewhere in South.

4. The applicant, who appears in person, submits that the transfer is motivated by malafide to deprive her from working as Head of Office and serving the budget and harass, humiliate and torture her.

5. We have heard the applicant.

6. Vide impugned order, the applicant has been transferred from one office to another in New Delhi itself. There is no dislocation. There is no specific ground assailing the transfer except the vague averments of malafide. No person against whom malafides are alleged has been impleaded as a party respondent. Otherwise also, there is no specific allegation of malafide against anyone.

7. It is settled principle of law that interference in the matters of transfer is warranted in the event the transfer is against any statutory rule or settled policy or the public servant is transferred on a lower post or her salary or emoluments are affected in any manner or the same is by way of punishment and on account of malafides. None of the conditions warranting interference by the Tribunal exists in the present case. The allegations of malafide are too vague to be taken cognizance of. The applicant has been transferred in Delhi itself. Perhaps the applicant is interested to go to Chandigarh. It is not for this Tribunal to examine this contention. If the applicant intends to seek her transfer to Chandigarh she is at liberty to make appropriate representation to the respondents. No merit in this OA. Dismissed.

(Nita Chowdhury)
Member (A)

(Justice Permod Kohli)
Chairman

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