

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 543/2015

This the 22nd March, 2016

**Hon'ble Shri P.K. Basu, Member (A)
Hon'ble Shri Raj Vir Sharma, Member(J)**

1. G.S. Sharma Sr. A.O. (Retd./65years)
S/o Late Sh. B.R. Sharma
E-14/701-A, Panchachuli Apartment,
Sector-61, NOIDA-201301 ... Applicant

(By Advocate: Applicant in person)

Versus

1. Controller General of Accounts,
M/o Finance, 7th Floor, Lok Nayak Bhawan
New Delhi-110003

2. Controller of Accounts,
Principal Accounts Office, M/o P.P. G&P

(By Advocate: Mr. D.S. Mahendru) ... Respondents

Order (oral)

By Hon'ble Mr. P.K. Basu, Member (A)

Heard the applicant in person as well as learned counsel for the respondents.

2. The brief history of the controversy raised is that the applicant was posted to Goa vide order dated 06.11.2007 vice Shri Parkash Bihari who was posted to Guwahati. Both Sh. Prakash Bihari and the applicant had filed representations regarding their transfer on promotion. Sh. Bihari wanted to stay in Goa and the applicant wished to stay in Delhi. Representations of both sides were accepted by the

Govt. and Sh. Bihari continued in Goa and the applicant was adjusted in New Delhi from where he retired in 2010.

3. The applicant's case is that had he been asked to join at Goa instead of in Delhi he could have got higher pay having joined the promotional post from an early date and since the Govt. did not ensure his joining at Goa, he drew less pay than his juniors who joined their promotional posts prior to him.

4. This is the most bizarre O.A. a government servant can file. In order to stay on in Delhi and retain the Government accommodation, he first requests the respondents to allow him to stay on in New Delhi on promotion. The respondents considered his request and allowed him to get his promotion and continue at Delhi as well. Now, when his juniors joined their higher posts and started getting higher pay than him, he raises a claim that the government never forced him to go to Goa but considered his representation instead and allowed it. The O.A. clearly has no merit and is completely misplaced. Not only does he want the cake and eat it too, he wants crumbs from others shares as well! The O.A. deserves to be dismissed with heavy cost, However, considering the fact that the applicant is a senior citizen retired from Govt. service, we restrain ourselves from imposing any cost on the applicant.

5. The O.A. is dismissed.

(Raj Vir Sharma)
Member (J)

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(P.K. Basu)
Member (A)