

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

OA No.2345/2017

This the 19th day of July, 2017

**Hon'ble Mr.V.Ajay Kumar, Member (J)
Hon'ble Mr.ShekharAgarwal, Member (A)**

Mr.Nithin N.P., aged about 32 years
Sr. Staff Nurse, Emp Id:109616,
ESIC Hospital, Okhla, Sri Mas AnandmayeeMarg,
Okhla Phase-1,
New Delhi-110020. ... Applicant

(By Advocate :Shri Jose Abraham)

VERSUS

1. The Employees' State Insurance Corporation,
PanchadeepBhavan, C.I.G. Marg,
New Delhi-11002, Rep by its Director General.
2. The Deputy Director (Admn.),
Director (Medical) Delhi.
ESIC Dispensary Complex,
TilakVihar, New Delhi-110018.
3. The Medical Superintendent, ESIC Hospital,
Okhla,
Sri MaaAnandmayeeMarg,
Okhla Phase-1,
New Delhi-110020. ... Respondents

O R D E R(Oral)

By Hon'ble Mr.V. Ajay Kumar, Member (J): -

Heard learned counsel for the applicant.

2. The applicant who is working as Staff Nurse in ESIC Hospital, Okhla, filed the instant OA against the impugned Annexure A-1 dated 04.07.2017 whereunder the applicant along with certain other Staff Nurses of ESI Corporation were diverted to different places for the period of three months. Learned counsel submits that the action of the respondents is against to the transfer policy. He also submits that the representation dated 06.07.2017 of the applicant at Annexure A-9, indicating his personal difficulties is pending with the respondents without passing any order thereon till date.

3. On perusal of Annexure A-1 dated 04.07.2017 it is revealed that the same is not a transfer order but only a temporary diversion for a period of 3 months in the administrative exigencies. Not only the applicant but certain others were also diverted to different places. Hence, we are not inclined to interfere with the same.

4. In the circumstances, the OA is dismissed. However, this order shall not preclude the respondents from considering the

Annexure A-9 representation dated 06.07.2017 of the applicant sympathetically, in accordance with law. No costs.

Issue Dasti.

(Shekhar Agarwal)
Member (A)

(V. Ajay Kumar)
Member (J)

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