

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

O.A.No.100/2704/2016

Tuesday, this the 23rd day of August 2016

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

K.S. Meena
s/o late Mr. B L Meena
aged about 52 years
r/o 17/5, Rajpur road
Civil Lines, Delhi-54
Presently working as
Joint Secretary
Urban Development Department
Govt. of National Capital Territory of Delhi
Delhi Secretariat, New Delhi – 110 002

.. Applicant
(Applicant in person)

Versus

1. Union of India through
Secretary to the Government of India
Ministry of Home Affairs
North Block, New Delhi – 110 001

2. Joint Secretary (UT)
Ministry of Home Affairs
North Block, New Delhi – 110 001

3. Lieutenant Governor
Govt. of National Capital Territory of Delhi
Raj Niwas, Delhi – 110 054

.. Respondents
(Mr. Hanu Bhasker, Advocate)

O R D E R (ORAL)

The applicant has sought cancellation of order dated 04.07.2016, whereby he has been transferred from Delhi to Lakshadweep with immediate effect, primarily on the ground that as a result of road accident in the year 2007, his daughter was seriously injured and has now been

confined to the wheelchair. He has done two and half years posting in Dadra and Nagar Haveli earlier.

2. Learned counsel appearing for the respondents states that all DANICS/DANIPS officers will have to do at least two stints in outlying segments and first posting is to be for three years and second for minimum of two years. The applicant has done only one stint in Dadra and Nagar Haveli, which is hard posting and it is stated that posting was for two and half years only.

3. Be that as it may, keeping in view the fact that the daughter of the applicant is now wheelchair-bound, it can be imagined that this would have caused tremendous trauma to the whole family, especially because the child is girl and father's presence is essential in such cases.

4. In view of the peculiar circumstances, the transfer order is quashed and set aside with direction to the respondents to consider the case of the applicant sympathetically and let him remain posted at Delhi.

5. The O.A. is disposed of accordingly. No costs.

**(P.K. Basu)
Member (A)**

August 23, 2016
/sunil/

