

**Central Administrative Tribunal  
Principal Bench**

**OA No.2928/2018**

New Delhi, this the 03<sup>rd</sup> day of August, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Ms. Aradhana Johri, Member (A)**

Surendra Kumar Tripathi, EE(C)  
Group 'A', Aged about 59 years  
S/o Sh. Om Prakash Tiwari  
R/o Qtr. No.63, Block No.20  
Lodhi Colony, Lodhi Road  
New Delhi-110003. ....Applicant

(By Advocate: Sh. M.K. Bhardwaj)

Versus

1. Union of India through its Secretary  
Ministry of Housing & Urban Affairs  
Nirman Bhawan, New Delhi.
2. The Director General  
CPWD, Nirman Bhawan  
New Delhi. ....Respondents

(By Advocate: Shri Rajeev Kumar)

**ORDER (ORAL)**

**Justice L. Narasimha Reddy:-**

The applicant is working as Executive Engineer in the CPWD and presently stationed at Delhi. Through an order dated 31.07.2018, he is transferred to Silchar

Central Circle, State of Assam. The same is challenged in this OA.

2. The applicant contends that out of his service of 36 years, he spent nearly 24 years outside Delhi and that he has only 14 months of left over service. He further contends that the transfer would result in serious hardship and dislocation to his family particularly at the stage of retirement. He claims to have made a representation on 01.08.2018 ventilating his grievance.

3. Heard Shri M.K. Bhardwaj, learned counsel for the applicant and Shri Rajeev Kumar, learned counsel for the respondents.

4. It is no doubt true that transfer is an incidence of service. However, frequent transfers of an employee, that too in short spells, to long distances, would impact not only on the employee but also on his family. Whatever be the necessity to transfer an employee in the ordinary course, a semblance of sympathy needs to be shown when he is approaching the retirement. Things have to be settled and several other measures need to be taken for planning the retired life. Normally,

the employees are not transferred to other places two years before retirement. Be that as it may, we are not inclined to interfere with the order of transfer at this stage. The authorities need to pass appropriate order on the representation of the applicant.

5. Therefore, we dispose of the OA directing the respondents to pass appropriate order on the representation dated 01.08.2018 submitted by the applicant within a period of three weeks from the date of receipt of a copy of this order. Till such orders are passed, the order of transfer shall not be enforced.

There shall be no order as to costs.

**(Aradhana Johri)**  
**Member(A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

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