

**Central Administrative Tribunal
Principal Bench**

OA No.3178/2018

New Delhi, this the 28th day of August, 2018

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

Suresh Kumar Bhandari
IAS, Group 'A',
Aged about 58 years,
S/ Late Khim Singh Bhandari
R/o EAC 16/3, Delhi Govt. Officers Flats,
Rajpur Road, Civil Lines,
Delhi.

.... Applicant.

(By Advocate : Shri M. K. Bhardwaj)

Vs.

1. Union of India
Through its Secretary
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi.
2. The Joint Secretary (U.T.)
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi.
3. The Commissioner
North DMC,
Civic Centre,
New Delhi.
4. Govt. of NCT of Delhi
Through its Chief Secretary
New Secretariat, IP Estate,
New Delhi.

... Respondents.

(By Advocate : Shri R. K. Sharma)

: O R D E R (ORAL) :**Justice L. Narasimha Reddy, Chairman :**

The applicant is an officer of AGMUT cadre. Through an order dated 15.06.2018, he has been transferred to Goa. Challenging the same, he filed OA No.2882/2018. The said OA was disposed of on 01.08.2018 directing that the representation made by the applicant be disposed of within two weeks. On consideration of the same, the respondents passed order dated 21.08.2018 rejecting the representation. That order is challenged in this OA.

2. Shri M. K. Bhardwaj, learned counsel for the applicant submits that the mother of the applicant is very old, and is under treatment for a serious ailment, and that the applicant has already worked in heard station, like, Andaman & Nicobar Islands for more than three years. He further contends that while several officers in the cadre are being retained in Delhi for decades together, the applicant has been chosen for transfer.

3. Shri R. K. Sharma, learned counsel for the respondents, on instructions, submits that out of thirty years of service, the applicant was away from Delhi only for three years, and the present posting has become inevitable, and is warranted by administrative exigencies.

4. Having been a bit impressed by the plea raised by the applicant about the factors mentioned in his representation, we directed the respondents to consider the same, and deferred the implementation of the order of transfer for two weeks. In compliance with the order of this Tribunal, the respondents examined the matter and passed a detailed order, which is impugned in this OA.

5. It hardly needs any mention that transfer is an incidence of service, and an employee, particularly one in the higher level of administration, cannot insist that he should continue in a particular place for decades together. It has already been mentioned that out of thirty years of service, the applicant was away from Delhi only once, that too for a period of three years. The Cadre is a joint one and it takes in its fold, several States and Union Territories. The respondents have dealt with each and every contention raised by the applicant in his representation, and have furnished cogent reasons for rejecting the same. We do not find any basis to interfere in the order of transfer.

6. The OA is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/