CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI
CAMP AT NAGPUR

ORIGINAL APPLICATION No.2088/2017

Dated this Wednesday the 2nd day of August, 2017

CORAM: HON'BLE SHRI A.J.ROHEE, MEMBER (J)
HON'BLE MS. B.BHAMATHI, MEMBER (A)

Yogesh Somaji Thaware,
aged about 46 years R/o.
Swaranjali Apartment,
Flat No.7, Plot No.2,
Shraddhanandpeth,
Bajaj Nagar,
Nagpur-440010.
Office : Divisional Engineer,
Rural, O/o. The G.M.,
Telecom,
Nagpur TD, Doorsanchar Bhawan,
zero Miles,
Nagpur-440001. ... **Applicant**
(**By Advocate Shri S.K.Verma**)

Versus.

1. The Chairman & Managing Director,
   Bharat Sanchar Nigam Limited,
   H.C.Mathur Lane,
   Janpath,
   New Delhi-110001.

2. The Chief General Manager,
   O/o. The C.G.M.T.,
   B.S.N.L. Maharashtra Telecom Circle,
   4th floor, `A' Wing, Administrative
   Building, BSNL Complex, Juhu Danda Road,
   Santacruz (W),
   Mumbai-400054.

3. The General manager,
Telecom Nagpur TD Doorsanchar
Bhawan, Zero Miles,
Nagpur-440001. **...Respondents.**

(By Advocate Shri V.S.Masurkar)

Reserved on 19.7.2017
Pronounced on 02.8.2017

ORDER

Per : A.J. ROHEE, MEMBER (J)

The applicant who is presently working as Junior Telecom Officer (for short, JTO) in the office of R-3 has grievance regarding the impugned order dt. 3.4.2017 (Annexure-A-1) by which he is transferred to Akola in the same capacity vice Shri K.N.Beliya who was shifted to Bhandara on revised posting. He, therefore, approached this Tribunal under section 19 of the Administratie Tribunals Act, 1985 seeking following reliefs :-

> "(i) call for all the relevant concerned records relating to the applicant's transfer case;
>
> (ii) order quashing and setting aside the impugned transfer order dated 03.04.17 (**Annex.A-1**) immediately as far as the applicant's case for his transfer from SSA Akola is concerned, by declaring that the same is issued in violation of BSNL's Employee Transfer Policy 2008 and in

violation of Article 14 of the Constitution of India;

(iii) order to retain the applicant in his present post at SSA Nagpur till he completes his 10 years stay;

(iv) any other relief which may deem fit by this Hon'ble Tribunal in the interest of justice".

2. The applicant was initially appointed as JTO on 26.2.2007 at Sangli. He was then transferred to BSNL, Nagpur on 2.5.2011 and since then he is working there.

3. On 8.2.2016, the respondent No.3 published a list showing "Circle Stay" and "SSA (Secondary Switching Area) Stay" of the JTO and Sub-Divisional Engineers **Annexure-A-2**, in which the applicant's name is included at Sl.No.55. In pursuance thereof, R-2 issued previous transfer order dt. 23.3.2017 (**Annexure-A-3**), in which the applicant's name is not included and hence he was not transferred.

4. Subsequently, the R-2 again published revised transfer order dt. 3.4.2017 (Annexure-A-4) by which the posting of Shri K.N.Beliya who was

officially transferred to by the earlier transfer order and Shri K.N.Beliya who was transferred to Akola was cancelled and both were shifted to Bhandara. By the same order two JTOs working at Bhandara were shifted to Nagpur. As a consequence thereof by the impugned transfer order of the same date i.e. 3.4.2017 (Annexure-A-1), **the applicant is transferred from Nagpur to in place of Shri K.N.Beliya.**

5. It is stated that the applicant has completed station tenure of 5 years and 11 months only and as such he was not liable to be transferred till he completes 10 years tenure, as per BSNL Employees Transfer Policy of the Year 2008 (Annexure-A-5). Hence, the impugned order shifting the applicant from Nagpur to was issued with mala fide intention and in violation of the transfer policy, with a view to accommodate Shri K.N.Beliya. It is stated that the other JTOs from the Station Seniority list who have completed 10 years at Nagpur have not been transferred, but the applicant was illegally transferred. For this

reason also, the impugned transfer order is liable to be set aside.

6. The applicant immediately forwarded a representation dt. 3.4.2017 (Annexure-A-6) to R-3 for cancellation of his transfer order, with a request to continue him at Nagpur till he completes 10 years of stay as per the transfer policy. The respondents did not pay any heed to his request.

7. The impugned order is therefore challenged on the following grounds as mentioned in paragraph no.5 of the OA. The same are reproduced here for ready reference :-

5.1 The BSNL Company is 100% Government of India Company and have their own rules, regulations and policies to regulate the service conditions and transfers of their own employees and the executives. One of such policies framed by the Respondent BSNL Company is the BSNL's Employee Transfer Policy in the year 2008 (**Annexure-A-5**), which is to be followed and implemented by all the Circles scrupulously and in

true spirit. As per the said Transfer Policy Rule 12 under Section-C, the applicant's turn for transfer to other SSA comes only after completion of 10 years stay in the present stay. But in the applicant's case even though the Respondent No.2 and 3 have knowledge that he has just completed 5 years and 11 months stay at Nagpur (**Sl.36**) and many JTOS from Sl.9 and onwards who have completed more period of stay than him and some have completed even 10 years of stay as per the List (**Annexure-A-2**), the applicant has been made target and he has been transferred deliberately and with mala fide intention to SSA vide the impugned Transfer Order dated 03.04.17 (**Annexure-A-1**), the action of which is against the BSNL's Employee Transfer Policy ibid, violative of Article 14 of the Constitution of India and against the principles of service jurisprudence and on this count alone, the impugned Transfer order of the applicant is liable to be quashed and set aside with cost.

5.2 The applicant abide by the rules framed by the Respondent No.1 BSNL Company in its

Transfer Policy of the year 2008 and according to which he is willing to be transferred and posted to another SSA till he completes his 10 years stay at SSA Nagpur. But the Respondent No.2 by crossing all limits and ignoring totally the Respondent No.1 BSNL Company's Transfer Policy under Rule 12 of Section-C, deliberately and with mala fide intention, issued the impugned transfer order dated 03.04.17 (**Annex-A-1**) of the applicant, the action of which is bad in law, against the principles of service jurisprudence and violative of Article 14 and 16 of the Constitution of India and on this count alone, the impugned transfer order of the applicant dated 03.04.17 (**Annex-A-1**) is liable to be quashed and set aside with heavy cost.

5.3 That the action of the Respondent No.2 by not issuing the Transfer and Posting order of the JTOs from Sl.9 and onwards whose stay at SSA Nagpur are 10 years and more as also more than the stay of the applicant and issued the transfer order of the applicant for SSA Akola apparently shows that the more stay of the JTOs are being saved from

the transfers and the JTOs like the applicant who has just completed only 5 years and 11 months stay has been targetted deliberately and with mala fide intention and therefore, it is apparent that all the rules, transfer policies and principles of natural justice have been ignored by the Respondents and on this count alone, the impugned transfer order of the applicant from SSA Nagpur to SSA Akola (**Annexure A-1**) is liable to be quashed and set aside with cost".

8. The applicant has also sought interim order to stay the effect and operation of the impugned transfer order.

9. While issuing notice to the respondents by order dt. 19.4.2017, this Tribunal directed the respondents not to relieve the applicant till they file reply to OA and the same is considered by this Tribunal and a decision is taken on the continuance of the ad-interim orders.

10. In pursuance of the notice, the respondents appeared and by common reply dt.

25.4.2017 resisted the OA by denying all the adverse averments, contention and grounds raised therein. It is stated that the impugned transfer order is perfectly legal, correct and proper which is in accordance with the transfer policy and there is no violation, discrimination or mala fide in issuing the transfer order. It is stated that the applicant is Executive Officer of BSNL and he is liable to serve any where in India being BSNL employee. There is no breach of any Service Rules governing the condition of service in issuing the impugned transfer order.

11. Reliance was placed on the decision rendered in **State Bank of India v. Anjan Sanyal & Ors.** {2001(3) Supreme 436}, in which it has been held that order of transfer of an employee is a part of the Servie conditions and such order of transfer is not required to be interfered with lightly by a Court of law in exercise of its discretionary jurisdiction, unles the Court finds that either the order is mala fide or that the service rules prohibit such transfer or that the

authorities, who issued the order, had no competence to pass the order.

12. Reliance was also placed on the decision in **State of Madhya Pradesh and Ors. v. S.S.Kourav** {JT 2995 (2) SC 498}, in which it has been held that :-

> "The courts or Tribunals are not appellate forums to decide on transfers of officers on administrative grounds. The wheels of administration should be allowed to run smoothly and the courts or tribu- nals are not expected to interdict the working of the administrative system by transferring the officers to proper places. It is for the administration to take appropriate decision and such decisions shall stand unless they are vitiated either by malafides or by extraneous consideration without any factual background foundation. In this case we have seen that on the administrative grounds the transfer orders came to be issued. Therefore, we cannot go into the expediency of posting an officer at a particular place".

13. It is stated that when the transfer order was challenged on the ground of mala fide, it has been held in **N.K.Singh v. Union of India** {(1994) 28 ATC 246}, that scope of judicial review to interfere with the transfer order is elaborately considered and it has been held that interference

is justified only in case of mala fide or infraction of any professed norm or principle. It is also held that where career prospects remained unaffected and no detriment is caused, challenge to the transfer must be eschewed. It is also held that when transfer is challenged on mala fide procedure for determining, it is stated to the effect that the Court will look into the records only and not enter into a roving inquiry.

14. In **S.C.Saxena v. UOI & Ors.** {(2006) 9 SCC 583}, it has been held that "a government servant cannot disobey transfer order by not reporting at the place of posting and then go to a court to ventilate his grievances. It is his duty to first report for work where he is transferred and makes a representation as to what may be his personal problems. Such tendency of not reporting at the place of posting and indulging in litigation needs to be curbed".

15. In **Rajendra Singh v. State of U.P.** {2010 (1) SLR (SC) 633}, it has been held that "a Government servant has no vested right to remain

posted at a place of his choice, nor he can insist that he must be posted at one place of his choice. He is liable to be transferred in the administrative exigency from one place to the other. It is held that transfer of an employee is not only an incident inherent in the terms of appointment, but also implicit as an essential condition of service in the absence of any specific intention to the contrary.

16. It is stated that the action of the respondent in transferring the applicant is strictly in the public interest. The same has been effected in accordance with the objectives of transfer policy and as per the need of the management, particularly considering the provisions of Clause II, III and IV of the Transfer Policy. It is denied that minimum tenure of 10 years is prescribed under the policy before completion of it, the employee cannot be transferred. It is stated that the respondents reserve right to transfer any employee in office exigency even before completion of the 10 years tenure, which is

stated to be the maximum tenure and not the minimum one, as alleged by the applicant.

17. It is stated that in pursuance of the impugned transfer order, the applicant is already relieved on 15.4.2017 vide Annexure-R-1. However, he has deliberately suppressed this fact from this Tribunal with a view to secure the ad-interim order. In this respect, reliance is placed on the decision rendered by the Hon'ble Supreme Court in **S.P.Chengalvaraya Naidu v. Jagannath** {AIR 1994 SC 853}, in which it has been held that "the courts of law are meant for imparting justice between the parties. One who comes to the court, must come with clean hands. It can be said without hesitation that a person whose case is based on falsehood has no right to approach the court. He can be summarily thrown out at any stage of the litigation. A litigant who approaches the court is bound to produce all the documents executed by him which are relevant to the litigation. If he withholds vital documents in order to gain advantage on the other side then he would be guilty

of playing fraud on the court as well as on the opposite party".

18. After making representation, the applicant did not wait for reasonable time for respondents decision on it and instead has immediately approached this Tribunal. As such, the OA is liable to be dismissed.

19. Relying on the decision rendered by the Hon'ble Supreme Court in **State of U.P. v. Gobardhan Lal** {2004(2) SC SLJ 42}, it is stated that Courts or Tribunals cannot substitute their own decisions in the matter of transfer for that of competent authority. If mala fide are alleged as the ground for cancellation of transfer order, then it must be such as to inspire confidence in the Court or based on concrete materials. Mere allegations of mala fide are not sufficient to hold in favour of the employee.

20. Number of other decisions as mentioned in paragraph No.16 are also relied. On its basis it is stated that the OA is devoid of any substance and hence is liable to be dismissed.

21. Along with OA, the respondents have filed MA No.324/2017 for vacation of Interim Order raised same grounds averred in reply. Copy of Relieving Order and certain citations are also relied upon by respondents.

22. The applicant has filed reply to the said M.A. No.324/2017 on 16.5.2017 denying the averments made therein, which are nothing but the grounds raised by him in the OA.

23. The applicant also filed rejoinder to reply on 16.5.2017 denying all the adverse averments and contentions raised in the reply by the respondents. In addition to that, copy of the relieving order of Shri P.B.Kamble and Shri K.N.Beliya (Annexure-A-7), Annual Performance Appraisal Report of the applicant for the years 2013-14, 2014-15 and 2015-16 (Annexure-A-8) collevectively, copy of DOPT's OM dt. 23.7.2009 (Annexure-A-9) by which guidelines regarding filling up of APAR with numerical grading are also produced on record. Copies of instructions for implementation of BSNL Employees Transfer Policy in

Circles issued by R-1 (Annexure-A-12) are also annexed in support of the claim.

24. The respondents then filed reply to the rejoinder on 9.6.2017 and denied all the adverse averments made in the rejoinder and reiterated the stand taken in the reply.

25. The record shows that the respondents have challenged the interim order dt. 19.4.2017 passed by this Tribunal by which the respondents were directed not to relieve the applicant till the reply is filed by them and considered by this Tribunal and decision is taken on the continuance of ad-interim/interim orders before the Hon'ble High Court of Bombay, It was brought to the notice of this Tribunal by the learned Advocate for the respondents by producing copy of the order dt. 14.6.2017 passed by the Hon'ble High Court of ombay in Writ Petition No.6136/2017. The entire text of said Order is reproduced here for ready reference :-

> " Heard learned counsel for the petitioners and the learned counsel for Respondent.

2 **Rule.**

3 By consent Rule is made returnable forthwith and the matter is heard finally.

4 This Petition is mainly directed against the interim order dated 19.4.2017 passed by the Central Administrative Tribunal. By the said order, transfer of the Respondent to was stayed and certain other directions were passed.

5 In view of the fact it is an interim order, we are not inclined to interfere with the same. However, we are inclined to request the Central Administrative Tribunal to dispose of the Original Application preferred by the Respondent within a period of six weeks from the date of communication of this order.

6 Accordingly, we request the Tribunal to dispose of the Original Application within a period of six weeks from the date of communication of this order.

7 As we are not inclined to interfere with the interim orders, rule is discharged".

26. In pursuance of the direction issued by the Hon'ble High Court in above order, the OA was taken up for final hearing.

27. The only controvery involved in this OA for decision of this Tribunal is whether the impugned order dt. 3.4.2017 by which applicant is

transferred from Nagpur to Akola in the same capacity of JTO is liable to be set aside on the grounds alleged by him as illegal, improper or incorrect, by exercising the power of judicial review vested in this Tribunal.

28. Heard Shri S.K.Verma, learned Advocate for the applicant and the reply arguments of Shri V.S.Masurkar, learned Advocate for the respondents on 19.7.2017 during the circuit bench sitting at Nagpur after the record and proceedings of the OA were transmitted there vide order dt. 5.7.2017. We have carefully perused the case records and various documents and citations of decisions produced on record and relied upon by the parties.

FINDINGS

29. As stated earlier, it is the settled law that so far as transfer of Government employees is concerned, it is the inherent incident of service and the Government employee has no vested tight to continue at the same place of his choice forever or till his retirement. The employer reserves right to transfer any employee considering the office

exigency or in public interest. However while doing so, it is also obvious that if transfer policy/ guidelines/ statutory rules are framed governing the transfer of employees in any department, there should be no violation of any of those provisions.

30. Further it is the settled law that the Courts or Tribunals while exercising the power of judicial review when transfer order is challenged it shall not lightly interfere with the transfer order, unless mala fide against the Competent Authority issuing the transfer order are pleaded and proved.

31. Keeping in mind the above referred settled principles of law regarding transfer, we shall now turn to consider the legality, propriety or corrections of both the impugned orders of transfer and rejection of representation for its cancellation.

32. It is not disputed that the applicant is working as JTO at Nagpur Office of the respondents from 2.5.2011. It is also obvious that till the

impugned order is issued he has not been transferred any where. The applicant has alleged mala fide in issuance of the impugned transfer order. However, no details or particulars are given as to how the respondent No.3 indulged in mala fide. According to the applicant since he has not completed minimum tenure of 10 years as per the transfer policy and other JTOs having longer stay than him are not shifted, this amounts to mala fide on the part of the R-3.

33. It is thus obvious that the main contention of the applicant is violation of the transfer policy since according to him minimum station tenure of 10 years is prescribed and admittedly since he has completed 5 years and 11 months only at Nagpur, he was not due for transfer and has been arbitrarily transferred. As against this, according to respondents maximum and not the minimum tenure is prescribed under transfer policy and the respondents reserve their right to transfer any employee on administrative exigency even before completion of maximum period of 10 years.

34. So far as this aspect of the case is concerned, the learned Advocate for the applicant relied upon the provisions of BSNL Employees Transfer Policy and particularly Clause 11 thereof incorporated in Section `B' under the caption "additional guidelines specific to transfer of Executive employees with All India transfer liability" under which for JTOs, Station/SSA tenure is prescribed as 10 years and on this basis it was strongly contended by the learned Advocate for the applicant that unless the employees who are governed by the said policy do not complete 10 years Station/SSA tenure, they are not liable to be transferred.

35. However, in this behalf although the period of post tenure Station/SSA tenure and Circle tenure as mentioned in Clause 11(a) is not disputed by respondents, they only relied upon Note appended below tabular form which is by way of exception to the general rule from which it can safely be said that the period of tenure is maximum and not minimum. For the sake of convenience and ready

reference, the entire text of Clause 11(a) and (b) which are relevant are reproduced here :-

"(a) Transfer tenure :

Annual pool of qualifying employees eligible for transfer shall be drawn on the basis of following tenure :-

Sl. No.	Executive Level	Post tenure	Station/SSA tenure	Circle tenure
1	SAG or equi-valent	4	6	6
2	JAG or equi-valent	4	8	8
3	STS or equi-valent	4	10	15
4	TES Gr.B/JTS or equivalent	4	10	18

Notwithstanding above, the Management reserves the right to transfer an Executive prior to the above specified tenure or to retain him/her beyond the specified tenure depending on the administrative requirement and in the interest of the service.

(b) Minimum period of three years at a location shall be maintained as far as possible in order to avoid hardship to the employees".

36. It is thus obvious that the period of tenure prescribed for each Executive Level cannot by any stretch of imagination be said to be a minimum period of tenure and it is in fact maximum one for which an employee can continue at a

station. In this respect, the learned Advocate for the respondents has also relied upon the provisions of Clause 3 of the transfer policy under the caption "Management's Right", which reads as under :-

> "The management has the right to move or not to move employee(s) from one post/job to another, to different locations, to different shifts, temporarily or permanently, as per business requirements and special needs".

In this behalf, objectives of transfer policy as prescribed in Clause 2(a) of the policy are also relied upon, which reads as under :-

> "2(a) In the changing business environment, role/profile of employees needs to be augmented continuously. Functional managers need to be given on-the-job training and exposure in different types of work situations to develop them to be Business Managers. Similarly, non-executive employees need to be retrained and redeployed in new jobs/locations to meet the technology/market related changes in business of the company".

37. It is obvious that combined reading of the provisions incorporated in clause 2, 3 and 11 (a) and (b) clearly reveals that maximum period of 10 years is prescribed for JTOs and the Management has the right to transfer an Executive prior to

completion of the said period or to retain him beyond the said period on administrative requirement and in the interest of service. It, therefore, does not lie in the mouth of the applicant to say that a minimum tenure of 10 years is prescribed and before its completion, the Management has no right to transfer or shift any employee. The only limitation of the power to transfer before completion of tenure of 10 years is that employee can't be shifted before rendering 3 years of service at a station. Hence, the period of 3 years can conveniently be said to be minimum tenure before which employee can't be transferred. The applicant has already completed 5 years 11 months at Nagpur.

38. It is needless to say that BSNL Management, even otherwise being an employer has every right to transfer any employee at any time depending upon the administrative requirement, office exigency and even in public interest. Further, in this behalf it cannot be forgotten that the applicant being Central Government employee, as

per his service conditions, he is liable to be transferred any where in India. This time he has been transferred within Maharashtra Circle from one District to another. There is nothing on record from the side of the applicant to show that as per the service conditions he is exempted from transfer. This being so, it is obvious that the applicant is fully governed by the provisions of transfer policy and as such it cannot be said that the impugned order by which the applicant is transferred before completion of 10 years of Station/SSA tenure but on completion of more than 3 years tenure is in any manner illegal, improper or mala fide.

39. The second ground raised by the applicant is that there are many senior persons to him in the cadre of JTO who have longer tenure than him have not been shifted. It is true that in the previous order issued by the respondents, the applicant's name was not included and he was retained at Nagpur. However, in the subsequent revised/modified order he has been transferred to vice Shri

K.N.Beliya whose name was included in the previous transfer order. To some extent it may be said that the applicant has been transferred to accommodate Shri K.N.Beliya who has been shifted to Bhandara on modification of the previous transfer order. It is not known on what grounds his request for cancellation of his transfer to has been considered. As such, it may be said that had the request of Shri K.N.Beliya for cancellation of his transfer to not been accepted, in that event perhaps the applicant would not have been transferred to Akola. However, since his request is accepted and the applicant was posted in his place, it cannot be said that for this reason alone it can be inferred that the impugned transfer order is illegal or mala fide.

40. The applicant has produced notification issued by the respondents clarifying Circle Sta and SSA Stay of JTOs and SDEs in the SSA vide Annexure-A-2. It is obvious on its perusal that it contains list of JTOs at Sl. Nos. 1 to 81 giving SSA Stay/Date of entry in SSA. The applicant stands at

Sl.No.36 mentioning his date of SSA as 2.5.2011. The JTO having longest SSA stay is shown as 2.4.2002 and between the above two dates, the date of entry in SSA of other JTOs is shown in the year 2002, 2005, 2007, 2008, 2009 and 2010 etc. Below it date of entry in SSA of other JTOs is shown from the year 2011, 2012, 2013, 2014 and 2015.

41. It is thus obvious that there are few JTOs who have longer stay than the applicant. However, it is not known how many of them i.e. from Sl. Nos. 1 to 34 have longer stay at Nagpur. Although it is a common seniority list as per SSA stay for Maharashtra Circle and although JTOs are transferable within circle, considering the experience of the applicant and other relevant factors, it is obvious that a decision was taken by the respondents to shift him. The other JTOs having longer stay at Nagpur were thus excluded. However, it is obvious that the respondents are the only competent persons to judge suitability of a person to be transferred at the new station. They must have considered number of factors in this

behalf. As such, it cannot be said that simply because number of other JTOs having longer SSA stay were available, the applicant cannot say that he is liable to be excluded on this count. The previous transfer list shows that 8 JTOs have been transferred vide order dt. 23.3.2017 (Annexure-A-3). This follows that the respondents have considered all the officers from SSA stay. As such, the applicant cannot say that he has been singled out or purposefully chosen for being transferred to Akola. We, therefore, reject the contention of the learned Advocate for the applicant that the decision taken by the respondents to shift the applicant is in any manner illegal, improper, incorrect or arbitrary so as to exercise power of judicial review vested in this Tribunal to set aside the same.

42. It was also pointed out during the course of arguments by the learned Advocate for the respondents that the applicant was already relieved pursuant to the impugned order on 15/4/2017 i.e. after filing of the present OA on

6.4.2017. Hence, the decision of this Tribunal to grant interim relief to the applicant not to relieve him cannot be said to be incorrect or that there is suppression of any fact by the applicant. In any case, the applicant continued to get the interim protection till dismissal of this OA.

43. From the above discussion, we do not find any merit in the present OA, especially when neither a case for mala fide is made out, nor competency of the authority who has issued the impugned transfer order is challenged. As stated earlier, no case for violation of the provisions for transfer policy is made out by the applicant. Hence, the impugned order is not liable to be set aside on any ground, whatsoever.

44. In the result, the OA stands dismissed. Consequently, the interim order dt. 19.4.2017 automatically stands vacated.

45. In view of dismissal of the OA, the applicant is directed to take appropriate steps in compliance of the impugned transfer order.

46. It is, however, made clear that dismissal

of this OA will not preclude the applicant from making a representation to the Competent Authority for re-transferring him to Nagpur or any other place of his choice by raising grounds after joining at Akola, subject of course, in accordance with the provisions of the transfer policy. In the facts and circumstances of the case, parties are directed to bear their respective costs of this OA.

(Ms. B. Bhamathi)
Member (Administrative)

(Arvind J. Rohee)
Member (Judicial)

B.