

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No. 1064/2016

New Delhi, this the 2nd day of April, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Dr. Anirban Hom Choudhuri,
S/o. Sh. Arun Kumar Hom Choudhuri,
Age 43 years, Professor,
GB Pant Hospital,
New Delhi
R/o. Flat 105, Tower 32,
Common Wealth Games Village,
Delhi – 110 092.

...Applicant

(None)

Versus

1. State of NCT Delhi
Through its Principal Secretary
Deptt. of Health and
Family Welfare,
Delhi Secretariat, I.P. Estate,
New Delhi – 110 002.
2. Dy. Secretary (HR Medical)
Department of Health
9th Level, Delhi Secretariat
New Delhi-110 002.
3. Director,
G. B. Pant Hospital
Delhi Gate
New Delhi – 110 002.
4. Union of India
Through its Secretary
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi.

...Respondents

(By Advocate : Mr. Amit Anand for R-1, 2 and 3 and Mr.
Rajeev Kumar for R-4)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

The applicant was working as a Professor in the G. B. Pant Hospital, New Delhi. Through an order dated 04.03.2016 the first respondent transferred him to Dr. Baba Saheb Ambedkar Medical College and Hospital as Assistant Professor. The same is challenged in this O.A by raising several grounds. One of the grounds is that, he is Member of the Central Health Service (CHS) and that the Delhi Government has no jurisdiction to transfer him. He prayed for an interim order also. Through an order dated 25.04.2016 this Tribunal declined to pass an interim order. Aggrieved by that, the applicant filed WP (C) No. 3698/2016 before Delhi High Court. There again, no interim order was passed and ultimately on 07.02.2017, the Writ Petition was dismissed.

2. It is stated that the applicant intends to go back to CHS. It was open to him to take necessary steps in this behalf. Though, there is no representation for the learned counsel for applicant on the past few occasions, the transfer order passed in the year 2016 cannot be examined at this stage, particularly, when there was no stay.

Therefore, the O.A is dismissed and there shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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