

**Central Administrative Tribunal
Principal Bench**

OA No.941/2019

New Delhi, this the 20th day of March, 2019

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

Dr. Arun Kumar Bansal,
Aged 58 years,
Additional Director,
National Centre for Disease Control,
Directorate General of Health Services,
Ministry of Health & Family Welfare,
R/o 2647 (WZ-93), Road No.1,
Siri Nagar Garden,
New Delhi-110034.

...Applicant

(In person)

Versus

1. Union of India,
Through its Secretary,
Department of Health and Family Welfare,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi-110011.
2. Director General of Health Services,
Ministry of Health and Family Welfare,
Govt of India,
Nirman Bhawan, New Delhi-110108.
3. Director,
National Centre for Disease Control,
Directorate General of Health Services,
22, Sham Nath Marg, Civil Lines,
Delhi-110054.
4. Port Health Officer,
Directorate General of Health Services,
Clyde Row, Hasting,
Kolkata, West Bengal-700022.

...Respondents

(By Advocate : Shri H.K. Gangwani)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant is working as Public Health Specialist (SAG) and at present he is in the National Centre for Disease Control (for short, SCDC). Through an order dated 07.03.2019, he was transferred to the Port Health Office, Kolkata.

2. The applicant contends that he has been given posting to work at Mumbai from the year 2007 to 2014 and though several officers both junior and senior to him in the Organisation are continuing to work in Delhi, without even a single out of station posting, he has been chosen to transfer, that too, for working on the post which has been lying vacant for about 3 ½ years. Certain domestic problems are also pleaded by him and he made a representation dated 08.03.2019. He challenges the order of transfer, in this OA.

3. We heard the applicant who argued the case in person and Shri H.K. Gangwani, learned counsel for respondents.

4. The transfer is made to an establishment at Kolkata. The question as to whether the transfer of the

applicant is in violation of any norms, stipulated for this purpose, or if any officers are continuing working in Delhi without interruption for decades together, needs to be examined by the respondents, who passed the impugned order.

5. We are not inclined to interfere with the order of transfer at this stage. A representation made by the applicant needs to be considered by the respondents.

6. Hence, we dispose of the OA, directing the first respondent, to consider the representation of the applicant and to pass appropriate orders thereon, within a period of two weeks from today. The order of transfer shall not be enforced for a period of three weeks. Though it is reported that the applicant has been relieved, we do not take note of the same, since no one has joined in the place of the applicant.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

‘rk’