

**Central Administrative Tribunal
Principal Bench**

OA No.1664/2019

New Delhi, this the 15th day of July, 2019

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

Dr. K. Ravi, 'A',
S/o Shri V.S. Krishmachary,
Aged about 60 years old,
Joint Advisor (Siddha),
Ministry of Ayush,
B-Block, GPO Complex,
INA, New Delhi-110023.

...Applicant

(By Advocate : Shri Raj Kumar Bhartiya)

Versus

1. The Secretary,
Ministry of Ayush, B, Block,
GPO Complex, INA, New Delhi-110023.
2. Ms. Shruti Pandey, Asstt. Director,
Ministry of Ayush, B-Block,
GPO Complex, INA,
New Delhi-110023.

...Respondents

(By Advocate : Shri J.P. Tiwari)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant was appointed as Medical Officer-Incharge (Siddha) in the year 1993 in the Central Government Health Scheme (for short, CGHS) on being

selected by the UPSC. He was also promoted as Senior Medical Officer in the year 1998. In the year 2003, he was transferred from Chennai to Delhi. His grievance is that he is not being permitted to work at the present position and is made to suffer on account of the so called orders of transfer and retransfer.

2. The OA was taken up on 27.05.2019 and notice was issued. Observations were made at various stages, as regards the treatment that is being accorded to the applicant. The presence of the concerned Assistant Director was also ordered. On 30.05.2019, the Assistant Director appeared. It was observed that the dues of the salary of the applicant shall be released and he shall not be shifted out of the present position, until the next date of hearing. Today, it is stated that the order has been complied with and the dues have been released.

3. Though an order of transfer was passed on 03.05.2019, the same stood virtually withdrawn on account of the order of work allocation dated 04.07.2019. However, the order dated 19.06.2019 was passed taking the applicant on the strength of the Ministry of AYUSH.

4. In view of this development, we dispose of the OA, leaving it open to the respondents to pass appropriate orders, as regards the posting of the applicant, if it becomes necessary. The transfer, if ordered, shall be strictly in accordance with the relevant provisions of law, and the transfer policy; and the applicant shall not be reduced in position, in the context of transfer.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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