

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/021/692/2016

Dated: 07/06/2019

Between

Shivdayal Sharma,
S/o. Shiv Ghan Shyam Sharma,
Aged about 55 years,
Occ: Electrician (Non Combatised),
Force No.800320031, O/o. Composite Hospital (CH),
Central Reserve Police Force,
Chandrayangutta,
Hyderabad ó 500 005.

... Applicant

AND

1. Union of India rep. by
The Director General,
Central Reserve Police Force,
CGO Complex, Lodhi Road,
New Delhi ó 3.
2. The Director Medical,
Central Reserve Police Force,
Pushp Vihar, New Delhi ó 17.
3. The Inspector General of Police,
Central Reserve Police Force,
Chandrayangutta,
Hyderabad ó 5.

... Respondents

Counsel for the Applicant : Dr. A. Raghu Kumar
Counsel for the Respondents : Mr. V. Vinod Kumar, Sr. CGSC.

CORAM :

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

(Per Honøble Mr. Justice L. Narasimha Reddy, Chairman)

The applicant is working as an Electrician in the CRPF. Through an order dated 28.6.2016, he was transferred from Hyderabad to Guwahati. The same is challenged in this O.A.

2. The applicant contends that he has been transferred to work against a post of Head Constable, which is not of the rank held by him. Other grounds are also urged.

3. The respondents filed a counter affidavit opposing the O.A. It is stated that the applicant has been transferred against an appropriate vacancy and that the various grounds urged by the applicant are totally incorrect.

4. We heard Sri B. Pavan Kumar, learned counsel for the applicant and Sri V. Vinod Kumar, learned Senior Standing Counsel for the respondents.

5. The liberal adjournment of the O.As in the Tribunal is turning out to be a boon to certain employees, once they are able to obtain an interim order. It is way back on 15.07.2016 that an interim order of suspension was passed by this Tribunal. Nearly 3 years have lapsed. It is not as if that the applicant was transferred for the first time. The particulars furnished by him disclose

that earlier he worked for a period of 9 years in two spells in the office at New Delhi, for a period of 8 years in two spells in Guwahati and for a period of nearly 10 years as of now, in Hyderabad. The post which has All India character, cannot be viewed from the angle of convenience of the employee or other technical grounds. We leave it open to the respondents to pass fresh orders, duly taking into account, the prevailing circumstances. The O.A. is dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)
pv

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN