
(2018) 08 CAT CK 0097

In the Central Administrative Tribunal

Case No : Original Application No. 3061 Of 2018

Sandeep Kumar

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 16-08-2018

Acts Referred:

Citation : (2018) 08 CAT CK 0097

Hon'ble Judges : L. Narasimha Reddy, J;Pradeep Kumar, Member (A)

Bench : Division Bench

Advocate : Subhash Gosain

Final Decision : Dismissed

Judgement

L. Narasimha Reddy, J

1. The applicant is working in the Department of Telecommunication Headquarter as Director (Security). Through an order dated 01.08.2018, he is transferred to Manipur in the License Service, North East. The order of transfer is challenged in this OA.

2. The applicant who argued his case in person submits that he was chosen for transfer on account of the fact that his immediate superior, the 2nd respondent herein, faced an enquiry entrusted to him, and that bearing a grudge on that account, 2nd respondent transferred him. It is also stated that several persons with much more longer standing than that of the applicant in the same department are continuing. Inconvenience to the family is also cited one of the grounds.

3. We heard the applicant, who argued in person, and Shri Subhash Gosain learned counsel for the respondents.

4. The OA came up for admission before us initially on 14.08.2018. After hearing the applicant at some length, we wanted him to furnish the list of officers who are working in the same Wing for a longer time than the term of the applicant.

However, nothing in that regard has been placed before us. The applicant wants this Tribunal to treat the entire Head Office as a Wing, and then to decide about the length of standing of officers. That cannot be accepted at all.

5. Though it was argued that the 2nd respondent has some grudge against the applicant, nothing is placed before us to show that the applicant has ever been asked to enquire against the 2nd respondent. Further, the 2nd respondent is much superior to the applicant, and the question of latter being asked to enquire against the former, does not arise.

6. Inconvenience to the family is also pleaded as one of the grounds. For a government employee, particularly, the one who is senior and specialized, the transfer becomes inevitable to work at various centres and to lead the teams there. Though, the inconvenience as regards the family of an employee cannot be ignored, it cannot be kept above the interests of the department.

7. During the course of hearing, we verified from the applicant himself, and it becomes clear that he is in Delhi for quite a long time, and his earlier transfer to Mumbai in MTNL was followed by immediate repatriation to Delhi.

8. We are not inclined to interfere with the order of transfer. The OA is accordingly dismissed. There shall be no order as to costs.