

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004

Order Sheet

Item no.: 2
O.A./5/2023 (TELANGANA)
[TRANSFER]
Court No.: 1

No of Adjournment:

Order Dated: 04/01/2023

SMT K KAMESHWARI
Vs
ALL INDIA RADIO

For Applicant(s) Advocate : K SUDHAKER REDDY

For Respondent(s) Advocate : A RADHAKRISHNA, Sr.PC for CG

Order of The Tribunal

Heard Mr. K Sudhaker Reddy, learned counsel for the applicant.

The applicant, while working as PEX, AIR Hyderabad, was declared as Head of Programme(HOP) of DDK, Hyderabad w.e.f. 01.07.2022, vide Office Order dt. 04.07.2022. The applicant assumed the charge as HOP on 06.07.2022. Thereafter, vide Order dt. 26.09.2022, she was transferred to AIR Kadapa. The applicant submitted representation dt. 26.09.2022 to the respondents requesting to retain her at DDK, Hyderabad which was rejected. Thereafter, she submitted representation dt. 31.12.2022 to DG, DDK Prasarbharati requesting to transfer her services from AIR Directorate to DDK Directorate which is stated to have been pending.

It is submitted that the applicant is on the verge of her retirement with only three years of service left and she has been suffering from Lumbar Disc Problem. At this stage, transferring her to

Kadapa, which is 400 KM from Hyderabad, may result in deterioration of her health condition. The applicant's counsel pressed for interim relief of staying the Transfer Order dt. 26.09.2022.

Mr. A Radhakrishna, learned counsel, accepted notice on behalf of the respondents. He submitted that the applicant has already been relieved w.e.f. 03.01.2023 and produced Relieving Order dt. 03.01.2023 in this regard. He further submitted that the transfer of the applicant had been effected purely on Administrative grounds. He sought four weeks' time to file reply.

Heard both the counsel. Transfer is an incidence of service and the applicant cannot claim it as a matter of right to be posted at a particular place, as held by the Hon'ble Supreme Court in various cases. Moreover, the applicant has already been relieved. In view of this, we are not inclined to grant interim relief at this stage. Accordingly, the prayer of interim relief is rejected.

Respondents are granted four weeks' time to file reply. List the case on 09.02.2023 for further consideration.

B ANAND
Member (A)

Sudhi Ranjan Mishra
Member (J)

/RAM/