

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.35593 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the unsuccessful applicant in O.A.No.021/279/2018 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad. His grievance therein was with regard to the Office Order dated 24.11.2017, whereby he was sought to be transferred from Ordnance Factory, Medak, to Heavy Vehicles Factory, Avadi, Chennai. He sought retention on the ground that he was a physically handicapped person and is protected from the transfer policy by virtue of the guidelines issued by the Government of India from time to time. The Tribunal however disagreed with this claim and dismissed the O.A. *vide* order dated 14.09.2018. Aggrieved thereby, he is before this Court.

Heard Sri P.Suresh Reddy, learned senior counsel representing Dr.A.Raghu Kumar, learned counsel for the petitioner-applicant, and Sri G.Venkateswarlu, learned counsel representing the learned Assistant Solicitor General for India appearing for the respondents.

Though Sri P.Suresh Reddy, learned senior counsel, would attempt to impress upon this Court that the routine transfer policy would not apply to physically handicapped employees in the light of the guidelines stipulated by the Government of India, we find that the said guidelines do not afford any immunity as such and they allow transfers to be effected even of physically handicapped employees in the interest of the administration.

Further, the authorities filed a counter before the Tribunal stating that the petitioner-applicant had become sufficiently senior in the organization and his services were required at other locations also. It may also be noticed that the petitioner-applicant has been retained at Medak for the past thirty years. That being so, he cannot ask for more in terms of the protection afforded to physically handicapped employees as per the guidelines of the Government of India. Being a sufficiently senior officer, his services would necessarily have to be utilized at other locations also and, as already pointed out, he cannot claim any immunity from administrative transfers. We therefore find no grounds to interfere with the order under challenge.

The writ petition is devoid of merit and is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.



SANJAY KUMAR, J

M. GANGA RAO, J

Date: 03.10.2018
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