

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.31180-2018 (O&M)

Date of decision: 28.02.2019

Krishan Kumar

.....Petitioner

versus

Director General of Ordnance Factories and others

.....Respondents

**CORAM: Hon'ble Mr.Justice Rajiv Sharma
Hon'ble Mr.Justice Kuldip Singh**

Present: Petitioner Krishan Kumar in person
Mr.Anil Chawla, Advocate for the respondents

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J.

Heard.

Petitioner has impugned the judgment dated 6.9.2018 passed by Central Administrative Tribunal, Chandigarh Bench, Chandigarh, vide which, his prayer for quashing the transfer from Ordnance Cable Factory, Chandigarh to Ordnance Cable Factory, Muradnagar was dismissed.

The perusal of the file shows that the petitioner is working at the present station since 30.11.2004 i.e. for the last more than 13 years. The grouse of the petitioner is that he has been filing complaints against respondent no.4, namely, General Manager before Central Vigilance Commission regarding various acts and omissions as alleged in the application before the Tribunal. He also filed an application under RTI Act. As a result of which, respondent no.4 became prejudiced against him. He

was threatened and insulted and on account of the malafide, respondent no.4

wrote a letter dated 22.3.2018 addressed to the Additional DGOF and Member Armoured Vehicle Headquarter, Avadi Chennai, recommending his transfer from Chandigarh, on account of which, he has been transferred.

The perusal of the appointment letter dated 19.11.2004 (Annexure R1) shows that there was a condition that the petitioner is liable to be transferred to any Ordnance Factory in India from time to time. The petitioner does not deny this condition. His only plea is that his transfer is malafide. Petitioner also claims that he is a whistle blower and therefore, he has been victimized.

We find no merit in the present petition. Petitioner is working at present station since the year 2004. Even though he has been filing complaints against General Manager and was seeking protection, however, he has no right to remain at one station for whole of his life. Transfer is prerogative of the concerned authorities. In the complaints, the petitioner has leveled allegations but it does not show that the allegations were proved to be correct. The authorities are also to see that there is congenial atmosphere in the factory.

In the circumstances, we do not find any illegality or infirmity in the impugned order dated 6.9.2018 passed by Central Administrative Tribunal, Chandigarh Bench, Chandigarh.

Accordingly, the present writ petition is dismissed.

(Rajiv Sharma)
Judge

(Kuldip Singh)
Judge

28.02.2019
gk

Whether speaking/ reasoned:	Yes
Whether Reportable:	Yes