

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00195/2020

Wednesday, this the 20th day of May, 2020

CORAM:

Hon'ble Mr. Ashish Kalia, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

M.V. Procyon, S/o. M.R. Vidyadharan, aged 31 years,
 Leading Fireman, INS Zamorine, Ezhimala 670 310, residing
 permanently at Morappillil House, Mattoor PO, Kochi-683 574,
 Mobile No. 9995598994. **Applicant**

(By Advocate : Mr. M.R. Hariraj)

V e r s u s

1. Union of India, represented by Secretary to Government of India,
 Ministry of Defence, New Delhi – 110 001.
2. Flag Officer Commanding in Chief, Southern Naval Command,
 Kochi – 682 004.
3. Commanding Officer, INS Zamorine, Ezhimala – 670 310.
4. Director of Civilian Personnel, Integrated Headquarters,
 Ministry of Defence (NAVY), Sena Bhavan,
 New Delhi – 110 011. **Respondents**

(By Advocate : Mr. C. Rajendran, Sr. PCGC)

This application having been heard on 20.05.2020 through video
 conferencing, the Tribunal on the same day delivered the following:

ORDER (Oral)

Hon'ble Mr. Ashish Kalia, Judicial Member –

Heard the learned counsel appearing for the parties through video
 conferencing at length.

2. The relief claimed by the applicant are as under:

“i. To direct the respondents to consider the request made by the applicant for transfer to Kochi in the available vacancies of Leading Fireman in accordance with the transfer guidelines and to grant the applicant such transfer as per the guidelines;

ii. grant such other reliefs as may be prayed for and the court may deem fit to grant and;

iii. to grant costs of this Original Application.”

3. The applicant has also prayed for an interim relief to direct the respondents not to fill up the available vacancies of Leading Fireman at Kochi before considering the case of the applicant for transfer to the said vacancies.

4. Notice issued. Mr. C. Rajendran, Sr. PCGC entered appearance on behalf of the respondents.

5. We feel that the present Original Application can be disposed of at the admission stage itself by directing the respondents to consider the representation Annexure A7 dated 11.5.2020 for transferring him on the available vacancy at Kochi within a period of one month from the date of a receipt of a copy of this order. Ordered accordingly. The applicant shall also be afforded a personal hearing before passing the speaking order. Till his representation is decided by the respondents one way or the other, the respondents shall not fill up the available vacancy of Leading Fireman at Kochi. In case the applicant is still aggrieved, he may approach this Tribunal, if so advised.

6. The Original Application is disposed of as above. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the movement order No. AAE/1013 dated 19.8.2017 issued by the Chief General Manager, NAD, Always.
- Annexure A2** – True copy of the order No. CP(G)/2601/Transfer Policy dated 11.8.2015.
- Annexure A3** – True copy of the CP(NG)/3008/DPC/Clarification dated 9.4.2020.
- Annexure A4** – True copy of the order No. CS 2760/8 dated 25.4.2018.
- Annexure A5** – True copy of order No. CS 2760/8 dated 12.7.2018.
- Annexure A6** – True copy of the order No. DC/8048/2019 dated 9.1.2019 of the second respondent.
- Annexure A7** – True copy of the detailed representation dated 11.5.2020 submitted by the applicant.
- Annexure A8** – True copy of the panel for promotion circulated by CS 2760/8 dated 1.1.2020.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-