

OA 448/98

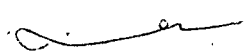
(1)

27.2.98

A-7

Present: Shri S.K. Gupta, learned counsel
for the applicant.

Heard: Order passed disposing of the
OA at the admission stage itself.


(N. Sahu)
Member (Admn.)

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.448 of 1998

New Delhi, this the 27th day of February, 1998

Hon'ble Mr. N. Sahu, Member (Admnv)

Harbans Singh (Staff No.2291), S/o
Shri Shankar Singh, R/o Q.No.6, Shakti
Nagar Telephone Exchange Complex,
G.T.Karnal Road, Delhi.

-APPLICANT

(By Advocate Shri S.K.Gupta)

Versus

1. Union of India, through
Secretary, Ministry of
Communication, Sanchar Bhawan,
New Delhi-110001.
2. Secretary, Department of
Telecommunication, Sanchar
Bhawan, New Delhi-110001.
3. Member (Services), Deptt. of
Telecommunication, New Delhi.
4. Chief General Manager, Mahanagar
Telephone Nigam Ltd., Khurshid
Lal Bhawan, Janpath, New Delhi.

-RESPONDENTS

ORDER (O R A L)

By Mr. N. Sahu, Member (Admnv) -

The applicant is aggrieved against the order of transfer posting him from MTNL Delhi to Assam Circle.

2. Admitted facts are that the applicant had been working in Delhi from 1981 till date. He was promoted to the present cadre in 1995. My attention has been drawn to an order dated 31.10.1997 (Annexure -A-7) staying the applicant's transfer for a period of three months. By an order dated 9.2.1998 (Annexure-A-8) he was struck off from the strength of GM North MTNL Delhi with a direction to report to Guwahati Office. Even before the ink on

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this order is dried another order was passed vide Annexure-A-9 cancelling the struck off order. The applicant filed a representation dated 6.1.1998. He states that his representation has not been disposed of.

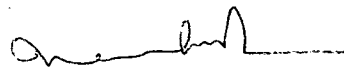
3. It is now settled by a decision of the Hon'ble Supreme Court in the case of Gujarat Electricity Board & Another Vs. Atmaram Sungomal Poshani, AIR 1989 SC 1433 that the only right of a transferred employee is to represent his grievances against the transfer before the superior authority. This right of representation has been also incorporated in the CCS Rules.

4. It is stated by the learned counsel for the applicant at the bar that the DDG Staff to whom the representation dated 6.1.1998 has been addressed represents Member Services, Department of Telecommunication. I would, therefore, direct respondent no.3 to dispose of this representation within a period of two weeks from today and till the representation is disposed of, the applicant, whose relieving order has already been cancelled, shall not be relieved.

5. A copy of this order shall be delivered by the applicant today on respondent no.3.

6. If after the disposal of the representation, if there is any ~~still~~^{shu} grievance left for redressal the applicant is free to file a fresh O.A. or an M.A. to revive this O.A.

7. The O.A. is accordingly disposed of at the admission stage itself.


(N. Sahu)
Member (Admnv)

rkv.