

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00263/2020

Tuesday, this the 30th day of June, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Sreekumar K.S., aged 49, S/o. T.K. Sreedharan,
 Presently working as Sub Divisional Engineer,
 Bharath Sanchar Nigam Limited, Kottayam West,
 Kottayam District, Pin – 686 003, Residing at
 Karippadappallil House, Kudavechoor PO,
 Vaikom, Kottayam District, Pin – 686 144,
 Mob.: 9447418480.

..... **Applicant**

(By Advocate : Mr. M.P. Madhavankutty)

V e r s u s

1. Chief General Manager (Telecom),
 Bharath Sanchar Nigam Limited,
 Trivandrum, Pin – 695 033.
2. Assistant General Manager (HR),
 Bharath Sanchar Nigam Limited,
 Trivandrum, Pin – 695 033.

..... **Respondents**

(By Advocate : Mr. T.C. Krishna)

This application having been heard on 30.06.2020 through video conferencing, the Tribunal on the same day delivered the following:

ORDER (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Mr. M.P. Madhavankutty, learned counsel appearing for the applicant and Mr. T.C. Krishna, learned counsel appearing for the respondents through video conferencing.

2. Applicant is presently working as a Sub Divisional Engineer in BSNL Kottayam. The applicant was transferred to Lakshadweep vide Annexure A-1 order. He is aggrieved by the insistence of the respondents to relieve him and compel him to join Lakshadweep Islands on transfer. This is an OA filed seeking the following reliefs:

“1. Call for the records leading to Annexure A1 and set aside the same to the extent the applicant is transferred to Lakshadweep Islands.

2. Direct the 1st respondent to consider the request of the applicant for retaining in his present station till the COVID-19 will be controlled in the country.

3. Direct the 1st respondent to consider Annexure A2 representation and retain him in the present station.

4. Any other further relief or order as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.”

3. When the matter came up for consideration, learned counsel for the respondents strongly opposed the Original Application stating that the service of the applicant is urgently needed in Lakshadweep Islands owing to security reasons.

4. It was pointed out by the counsel appearing on either sides that another OA No. 180/257/2020 was filed last week and an order has been passed by this Tribunal.

5. In this case learned counsel for the applicant submitted that Annexure A2 representation is still pending and the applicant will be satisfied if the said representation is properly considered and disposed of by the respondents.

6. In view of the limited prayer made by the applicant and without going in to the merits of the case, we direct the respondents to consider the grievances raised by the applicant in Annexure A2 representation and pass a reasoned and speaking order within a period of 10 days from the date of receipt of this order. Till such time the applicant shall not be compelled to leave the present station and he may be permitted to avail leave, if he is otherwise eligible for leave.

7. OA is disposed of as above at the admission stage itself. No costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

Annexure A1 – True copy of the transfer order dated 25.5.2020 bearing No. HR-E/3-19/2020-21/9.

Annexure A2 – True copy of the representation sent to the 1st respondent dated 24.6.2020.

RESPONDENTS' ANNEXURES

Nil

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