

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00392/2020

Thursday, this the 4th day of February, 2021

C O R A M :

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER**

Viswanathan Pillai, aged 57
 S/o.late Krishna Pillai, MES No.374356
 FGM (MCM), Garrison Engineer (AF)
 Pulayanarkotta, Thiruvananthapuram – 682 011
 Residing at MES Qtr. No.P/68/1, Vayuvihar
 Mob: 9446120780 ...Applicant
 (By Advocate Mrs.P.Ushakumari)

v e r s u s

1. The Assistant Garrison Engineer E/M(AF)
 Military Engineer Service
 Pulayanarkotta, Thiruvananthapuram- 695 031
2. The Garrison Engineer (AE) Military Engineer Service
 Pulayanarkotta, Thiruvananthapuram-695 031
3. The Command Works/Engineers (AF)
 Military Engineer Service
 Pulayanarkotta, Thiruvananthapuram-695 031
4. The Chief Engineer, Military Engineer Services
 Head Quarters, Southern Command, Pune – 412 101
5. The Union of India, represented by the Secretary to Government
 Ministry of Defence, Government of India
 New Delhi – 110 001Respondents

(By Advocate : Mr.T.C.Krishna,Sr.PCGC)

This application having been heard on 4th February 2021, this Tribunal on the same day delivered the following :

ORDER (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

This is an Original Application filed seeking the following relief:

"(a) This Hon'ble Tribunal may be pleased to call for the records connected with the case.

(b) Hon'ble Tribunal may be pleased to set aside the Annexure A12 order issued by the 2nd respondent, since it was issued in a casual and arbitrary manner.

(c) This Hon'ble Tribunal may be pleased to direct the 1st and 2nd respondents to grant/allow duly duty rotation to the applicant from Mukkunimala to any one of the station mentioned in the Annexure A7 respondent, till the Covid-19 Pandemic is resolved.

(d) Issue any other order or direction and grant such other reliefs as this Hon'ble Tribunal may find deem fit and proper in the circumstances of this case. "

2. When the matter came up for consideration, counsel for the applicant submits that she is not pressing the Original Application as the relief has already been granted to the applicant. **Hence the Original Application is disposed of as not pressed.** No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER
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(P.MADHAVAN)
JUDICIAL MEMBER

List of Annexures

Annexure A1 - True copy of the office order No.21 dated 27.1.2016

Annexure A2 - True copy of the discharge summary issued by the Department of Neurology, KIMS Hospital, Thiruvananthapuram dated 22.3.2017

Annexure A3 - True copy of the representation dated 20.2.2018 given by the applicant to the 2nd respondent

Annexure A4 - True copy of the office order No.108 dated 22.2.2019 issued by the 1st respondent

Annexure A5 - True copy of the representation dated 9.6.2020 given by the applicant to the 1st respondent

Annexure A6 - True copy of order of this Hon'ble Tribunal dated 23.7.2020 in O.A No.319/2020

Annexure A7 - True copy of the representation dated 1.7.2020 submitted by the applicant to the respondents 1 to 4.

Annexure A8 - True copy of the representation dated 23.7.2020 sent by the applicant to the 2nd respondent

Annexure A9 - True copy of the communication dated 4.8.2020 sent by the 1st respondent to the applicant

Annexure A10 - True copy of the affidavit dated 10.8.2020 submitted by the applicant to the 1st respondent

Annexure A11 - True copy of the reply given by the applicant to the 1st respondent on 10.8.2020

Annexure R-1 - True copy of the said representation dated 8 Apr 2019 along with forwarding letter dated 09 Apr 2019 from the O/o AGE EM (AF)

Annexure R-2 - True copy of CWE(AF) Trivandrum vide GE (AF) Trivandrum letter No.1003/5532/EIB dated 11.4.2019

Annexure R-3 - True copy of letter No.10103/69/EIB of CWE(AF)

Trivandrum dated 2.5.2019

Annexure R-4 - True copy of letter No.10031/5546/EIB of GE(AF)
Trivandrum dated 3.5.2000

Annexure R-5 - True copy of letter No.1003/556/EIB of GE(AF)
Trivandrum dated 18.8.2020

Annexure R-6 - True copy of letter dated 3.8.2020 submitted by the
applicant

Annexure R-7 - True copy of Medical certificate dated 14.8.2020

Annexure R-8 - True copy of the letter No.1003/5557/EIB of GE(AF)
Trivandrum dated 14.8.2020

Annexure P15 - A true copy of the order No.1003/5560/EIB dated 17.8.2020
issued by the 2nd respondent to the petitioner

Annexure P16 - A true copy of the letter dated 3.12.2020 send by the
applicant to the 2nd respondent along with post receipts.

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