

**Central Administrative Tribunal
Ernakulam Bench**

O.A No.180/00332/2021

Thursday, this the 22nd day of July, 2021

CORAM:

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

1. Tithin Daniel,
Aged 29 yrs, S/o. N.D.Daniel,
Leading Fireman,
INS Zamorin, Ezhimala, Kannur-670310

Residing at Nelliplackal House,
Palancherimughal
Pukkattupady, Edathala,
Aluva, Ernakulam – 686652

2. Jithin Gopi A,
Aged 29 yrs, S/o. Goppi.A.P,
Leading Fireman,
INS Zamorin, Exhimala, Kannur-670310

Residing at Assaripurath H,
Thuruthikkara,
Paingarappilly P.O,
Ernakulam-682314

- Applicant

(By Advocate: Mr.S.Sujin)

Versus

1. Union of India, Represented by
The Secretary to the Government of India
Ministry of Defence, New Delhi-110001.

2. The Flag Officer, Commanding in Chief,
Headquarters, Southern Naval Command,
Naval Base, Kochi-682004.

- Respondents

(By Advocate: Mr.C.Rajendran,SCGC)

The O.A having been heard on 22nd July, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

O R D E R (ORAL)

P.Madhavan, Judicial Member

This Original Application has been filed by the applicant seeking the following reliefs:

- “i) To issue appropriate order or direction to the 2nd respondent to implement Annexure- A3 and permit the applicants to join the stations to which they stand transferred to as per Annexure- A4.*
- ii) Grant such other and further reliefs as are just, proper and necessary or this Hon’ble Tribunal may deem fit to grant.*
- iii) Award to the Applicant the costs of these proceedings.”*

2. The brief facts of the case are as follows:

The applicants are aggrieved by the failure on the part of the respondents to implement Annexure-A4 transfer order issued for transferring them to the units in their home district, Ernakulam. Hence they have approached this Tribunal praying for the aforementioned reliefs.

3. When the matter came up for consideration, it appears from the Original Application that a representation on behalf of the second applicant is pending before the Competent Authority as Annexure-A5. First applicant has not given any representation. It appears that all remedies have not been exhausted.

4. *The applicants are directed to file their representation before the Competent Authority within a period of two weeks from today. On receipt of the said representation, the competent Authority is directed to consider such representation received from the applicants on the basis of relevant rules and regulations and pass a speaking order within a period of two months.*

5. The Original Application is disposed of as above at the admission stage itself.

No costs.

(K.V.Eapen)
Administrative Member

(P.Madhavan)
Judicial Member

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List of Annexures

Annexure A 1: True copy of the letter of appointment issued to the applicants on 22.7.2013

Annexure A 2: True copy of letter of promotion issued to the applicants on 26.10.2017

Annexure A 3: True copy of the transfer guidelines.

Annexure A 4: True copy of the order dated 30.06.2021

Annexure A 5: True copy of the request submitted by the 2nd applicant.

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