

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 45/91
XXXXXX

199

DATE OF DECISION 9-1-1991

V. Karvarnan

Applicant (s)

Mr. N Sugathan

Advocate for the Applicant (s)

Versus

The Telecom Commission rep. Respondent (s)
by its Chairman, Sanchar Bhavan
New Delhi & others.

NN Sugunapalan, Sr CGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? ✓
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

Mr NV Krishnan, A.M.

The applicant is a Junior Telecom Officer working under the Divisional Engineer, Telecom Transmission Project, Kozhikode. An order dated XXXXXXXXXX 30.7.90 (Annexure A2) has been issued by the Respondent-2, the Chief General Manager, Telecom Project, Madras stating that in accordance with the orders of the Department of Tele-communications dated 25.4.90 the applicant is promoted to TES Group B and transferred to MTNL, Bombay. The learned counsel for the respondents submits that nevertheless, in the exigency of service, the Department has not relieved him and hence he is continuing at present at Calicut.

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2 It is submitted by the learned counsel for the applicant that the applicant belongs to ST community and that it is the policy of the Government to accommodate persons belonging to SC/ST community as far as possible, in their home state. It is in this connection that the applicant has made a representation dated 2.7.90 to the Respondent-1 followed by another representation dated 10.12.90, both of which according to him have not yet been disposed of.

3 The prayer in the application is to issue a direction to the respondents to consider and pass appropriate orders on Annexure A1 and Annexure A4 representations.

4 We have heard the counsel of both the parties. The counsel for the respondents submits that there will be no difficulty to pass orders on these representations, if they have not already been disposed of.

5 In this view of the matter we direct Respondent-1 *in accordance with law* to consider and pass appropriate orders on Annexure A1 and Annexure A4 representations within a period of three weeks from the date of receipt of a copy of this order.

6 In view of the fact that the applicant has not been relieved so far due to exigency of service, we direct that till these representations are disposed of and orders are communicated to him, the status-quo as of to-day will be maintained by the respondents.

7 The application is disposed of with the aforesaid directions.



(AV Haridasan)
Judicial Member



(NV Krishnan)
Administrative Member

23.4.91

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NUK & ND

CCP 28/91
in DA 45/91

Mr N Sugathan for the applicant.

Mr NN Sugunapalan, SCGSC for Respondents by Proxy
(Mr P Sankarankutty Nair)

Respondents are directed to file statement on the CCP. call on 30.5.91.

Yihs

23.4.91

30.5.91

NUK & ND

(29)

Mr N Sugathan for the applicant.

Mr P Sankarankutty Nair, ACGSC for the respondents.

The learned counsel for the petitioner submits that since the filing of this petition, the respondents have complied with the judgment at Annexure P3. Accordingly the CCP is closed. 18 10

30.5.91

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Mr. Biss
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