

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

....

O.A. 467/94

Friday, this the 13th day of January, 1995

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S. P. BISWAS, ADMINISTRATIVE MEMBER

1. Lakshadweep Harbour Employees'
Union (Recognised by the Ministry
of Shipping and Transport, No. P.E.U.
(27) dt. 8.11.74, P.O. Karaparamba,
Kozhikode 673 010 represented by its
Secretary, Thayala Raj

2. Thayala Raj, Draughtsman Grade I
Lakshadweep Harbour Works,
Karaparamba, Calicut

Applicants

By Advocate Mr. K. P. Dandapani

vs.

1. Union of India represented by
Secretary to Ministry of Surface
Transport, Parivahan Bhavan,
New Delhi- 110 001

2. Union Territory of Lakshadweep
Kavaratti, represented by its
Administrator

3. The Chief Engineer & Administrator
Andaman Lakshadweep Harbour Works,
Port Blair

4. The Deputy Chief Engineer,
Lakshadweep Harbour Works, Karaparamba P.O.
Kozhikode

5. The Executive Engineer,
Lakshadweep Harbour Works, Kavaratti

Respondents

Mr. M.V.S. Nampoothiri for R-2

Mr. T.P.M. Ibrahim Khan, SCGSC for R 1, 3 to 5

O R D E R

CHETTUR SANKARAN NAIR (J) VICE CHAIRMAN

Applicants working in the Lakshadweep Harbour Works,
seek a declaration that the decision to shift the office
and staff in the Lakshadweep Harbour Works from Mainland
to Island is arbitrary, illegal and unconstitutional.
Such a declaration cannot be granted, as the government
is competent to decide where it should house its offices

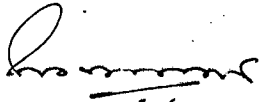
and how it should run its affairs, consistent with considerations of good public administration.

2. The real grievance of applicants is that they have no place to reside in Lakshadweep where the office is being shifted. By an interim order we directed the government to move only that number of officials, as could be given reasonable accommodation in the Islands. Standing Counsel submits that employees will be moved to the Island, only in strict conformity with the interim order and that the interim order may be made absolute. In para 5 of the reply statement filed on behalf of respondents 1, 3 to 5, it is stated:

"while deploying the staff at various locations, directions issued by the Tribunal as per the interim order dated 30.5.94 will be complied with."

3. Recording the submissions of counsel on both sides, we make the interim order absolute while declaring that government is within its authority in taking a decision to shift the office to the Island.

4. Application is disposed of as aforesaid. No costs
Dated the 13th January, 1995.


S.P. BISWAS
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

KMN 13195