

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 479/90
XXXXXX

109

DATE OF DECISION 3-8-90

MK Sayed Muhammad Koya _____ Applicant (s)

M/s CP Ravindranath & _____ Advocate for the Applicant (s)
EM Joseph

Versus

Union of India rep. by the Respondent (s)
Secretary, Ministry of Surface
Transport, Govt. of India
New Delhi & 2 others.

Mr NN Sugunapalan, SCGSC _____ Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member.

The Hon'ble Mr. N Dharmadan, 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

Shri NV Krishnan, Administrative Member.

The applicant is employed as a Work Assistant in the Lakshadweep Harbour Works at Minicoy. He has been transferred by the impugned order dated 25.4.90 (Annexure-A) from Minicoy to Kavaratti and by the impugned order dated 7.6.90 (Annexure-G), the respondent-2 has directed the respondent-3 to relieve the applicant immediately. Thereupon, the applicant has filed this application against these impugned orders.

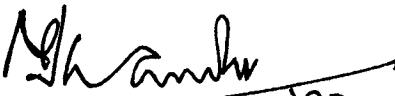
2 The applicant's contention is that as his wife is in the family way, he finds it difficult to comply with these orders and prays for extension of time of at least a year.

3 The respondents have filed a reply in which they have stated that they will have no objection to keep the impugned orders in abeyance and allow the applicant to continue at

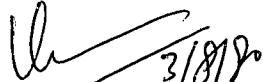
Minicoy till the end of October, 1990, on compassionate ground as his wife is advised to avoid exhaustive journey for a period of three months.

4. We have heard the counsel. The learned counsel for the applicant submitted that the delivery of the applicant's wife is expected sometime early in November and hence he submits that the impugned order be kept in abeyance till the end of December.

5. ~~We xxxxxxxxx xxxxxxxxx xxxxxxxxx~~. We are satisfied that on compassionate grounds and in the circumstances of the case, it would be necessary to keep the impugned transfer orders in abeyance till the end of 31.12.90 on the clear understanding that thereafter, the applicant shall have to comply with the transfer orders already issued. We order accordingly and dispose of this application with this order.


(N. Dharmadan) 3.8.90
Judicial Member

3.8.90.


3/8/90
(N.V. Krishnan)
Administrative Member