

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 487 OF 2010

Tuesday, this the 20th day of July, 2010

CORAM:

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

V.P.Sasikumar
Technician F-1
Low Level Radiation Research Lab (LLRRL)
Indian rare Earths Campus
Beach Road, Kollam – 1, Kerala State
Residing at : Vayalil Puthenveedu
Desia Nagar, New Kaumudi, G.C.Mills
Thekka Villa P.O Kollam

... Applicant

(By Advocate Mr.TCG Swamy)

versus

1. Union of India represented by the
Secretary to the Government of India
Department of Atomic Energy, R&D Section
Anushakti Bhavan, CSM Marg
Mumbai – 400 001
2. The Controller
Bhabha Atomic Research Centre
3rd Floor, Centra Complex, Trombay
Mumbai – 400 085
3. The Deputy Establishment Officer
Bhabha Atomic Research Centre
Personnel Division
Establishment Section – VIII
Central Complex, Trombay
Mumbai – 400 085
4. The Head
radiation Biology & Health Science Division
Bhabha Atomic Research Centre
MOD LAB, Central Complex, Trombay
Mumbai – 400 05
5. The Officer-in-charge
Low Level Radiation Research Lab (LLRRL)
Indian Rare Earths Campus
Beach Road, Kollam – 1, Kerala State ...

Respondents

(By Advocate Mr Sunil Jacob Jose, SCGSC)

ORDER**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER**

The applicant has filed this OA against the transfer order dated 26.05.2010. The OA has been admitted and interim stay has already been issued against the order of transfer and ordered that the transfer order shall be kept in abeyance. The interim order is still continuing.

2. We heard Mr.TCG Swamy, counsel for applicant and Mr.Sunil Jacob Jose, counsel for respondents. On behalf of respondents a short reply has been filed in which the main objection stated is that before approaching this Tribunal the applicant ought to have sought the remedy available with the Department by filing a representation. Counsel for applicant, Mr.TCG Swamy also submits that the applicant has already filed a representation, a copy of which is produced and marked as Annexure A-4. Hence we feel that the OA can be disposed of by directing the 2nd respondent, with whom Annexure A-4 is pending, to dispose of the same within a reasonable time, at any rate within 45 days from the date of receipt of a copy of this order. Till a final decision is taken in the matter, the interim order passed will stand in force.

3. With the above direction, the OA is disposed of. There shall be no order as to costs.

Dated, the 20th July, 2010.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER
vs



JUSTICE K.THANKAPPAN
JUDICIAL MEMBER