

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.502/05

Wednesday this the 29th day of June 2005

C O R A M :

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

Dr.K.P.Hamza Koya,  
Chief Medical Officer (CHS),  
Primary Health Centre, Kalpeni,  
Union Territory of Lakshadweep.

Applicant

(By Advocate Mr.G.Padmakumar)

Versus

1. Union of India represented by Secretary,  
Ministry of Health & Family Welfare,  
Nirman Bhavan, New Delhi - 110 011.
2. The Administrator,  
Union Territory of Lakshadweep,  
Kavaratti.
3. Director of Medical & Health Services,  
Kavaratti.

Respondents

(By Advocate Mr.Shafik M.A.)

This application having been heard on 29th June 2005 the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant is a Chief Medical Officer working in Kalpeni Primary Health Centre and by the impugned order Annexure A-2 has been transferred to Primary Health Centre, Kiltan. The applicant states that he has no objection to the transfer but due to the monsoon season the journey between the islands is difficult and is not in a position to move along with his family at present. He has submitted a representation to the Director of Medical & Health Services (3rd respondent) on 23.6.2005. The transfer order stipulates that the applicant along with two others has to move first and therefore he seeks interim direction that he may be allowed to continue till a substitute joins duty.

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Counsel for the respondents states that since all the transfers are inter-connected he would seek instructions from the Department on whether the request of the applicant can be considered. Since the circumstances mentioned by the applicant are of administrative nature and can be best judged by the respondents themselves I do not like to interfere in the matter and would leave it to the respondents to consider the request of the applicant at Annexure A-3 and if necessary modify the orders accordingly in respect of the applicant. I, therefore, direct the 3rd respondent to consider the representation of the applicant at Annexure A-3 and dispose it off expeditiously at any rate not later than two weeks i.e. 15-7-2005. No order as to costs.

(Dated the 29th day of June 2005)

Sathi Nair  
SATHI NAIR  
VICE CHAIRMAN

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