

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.506/10

Friday this the 22nd day of October 2010

C O R A M :

HON'BLE Dr.K.B.SURESH, JUDICIAL MEMBER

N.Raman Nair,
HR No.198214687,
TC XI/1130(1), Anjaneyam,
P&T Colony, Pattom PO, Trivandrum – 695 004.
Working as Sub Divisional Engineer,
O/o.PGMT, BSNL Bhavan, Ernakulam.

...Applicant

(By Advocate Mr.K.M.Kurian)

V e r s u s

1. Bharat Sanchar Nigam Ltd.,
represented by Chief General Manager,
Kerala Telecom Circle, BSNL, Trivandrum.
2. Deputy General Manager (HR),
O/o.Principal General Manager of Telecom,
BSNL Bhavan, Ernakulam.
3. Assistant General Manager (HR),
O/o.Chief General Manager, Telecom, Trivandrum.
4. Principal General Manager of Telecom,
BSNL Bhavan, Ernakulam.

...Respondents

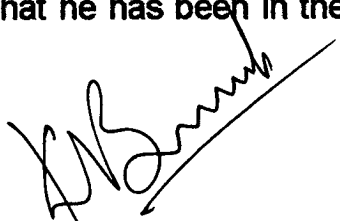
(By Advocate Mr.George Kuruvilla)

This application having been heard on 22nd October 2010 this Tribunal on the same day delivered the following :-

ORDER

HON'BLE Dr.K.B.SURESH, JUDICIAL MEMBER

The matter relates to transfer of the applicant who has a grievance that he has a medical situation which warrants that he be kept on humanitarian grounds at the present posting itself. The respondents contend that he has been in the present locality for more than a quarter of



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century and there are other people posted at hard tenure stations like Malappuram who are requesting to come back to the post which is now occupied by the applicant. Therefore, in between the twin humanitarian issues of medical situation of the applicant and the acute desire of the other people who want to come back after their services in the hard tenure stations, it will be appropriate to direct the respondents to have a re-look into the matter and assess the situation vis-a-vis the other employees also who wish to come back to the post which is now being enjoyed by the applicant. At this juncture, the applicant submitted that there are posts available at Kollam which is one hour travel by train from Trivandrum where he is posted now and if he is accommodated in one such post his medical situation can be managed. At this point of time learned counsel for the respondents is also not sure about the vacancy position available at Kollam and, therefore, the matter is remitted back to the respondents to take a fresh decision in the matter within a period of one week from the date of receipt of a copy of this order. They shall offer an opportunity of being heard to the applicant and take a decision and pass a speaking order explaining the reasons why he is to be posted at any particular place. His Annexure A-5 representation may also be taken into account and an appropriate order may be passed within a period of one week as aforesaid. Till such consideration, the interim order will be in force. OA is closed as above. No order as to costs.

(Dated this the 22nd day of October 2010)



Dr.K.B.SURESH
JUDICIAL MEMBER