

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.522/93

DATE OF DECISION: 23.6.93

N.M.Gouri

.. Applicant

Mr.M.R.Rajendran Nair

.. Advocate for the Applicant

vs.

1. The Administrator, U.T. of Lakshadweep,
Kavarathi.
2. Director of Medical & Health Services, Kavarathi.
3. The Medical Officer, Primary Health Centre,
Androth.
4. P.M.Howlath

.. Respondents

Mr.M.V.S.Namboodiri

.. Advocate for the Respondents 1-3
None for Respondent 4

CORAM:

THE HON'BLE MR.JUSTICE C.SANKARAN NAIR, VICE CHAIRMAN

THE HON'BLE MR.R.RANGARAJAN, ADMINISTRATIVE MEMBER

JUDGMENT

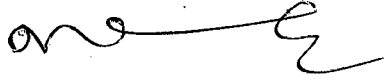
C.SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant challenges Annexure-I order by which she was transferred from the Primary Health Centre, Androth to Primary Health Centre, Kalpeni Island. An interim order was issued by this Tribunal and applicant complains that the same has not been obeyed.

2. Respondents submit that the transfer was made in public interest and that it is not vitiated for any reason. In the light of the decision in Gujarat Electricity Board and Another vs. Atmaram Sungomal Poshani, AIR 1989 SC 1433, the applicant cannot claim a right to remain at any station or for any length of time. The order evidenced by Annexure-I has to be upheld. However, in the light of the interim orders we direct respondents 1 to 3 to pay the applicant salary and allowances till 30.6.93 as if she worked at Androth. It is open to the administration to consider the representation at

Annexure-II of the applicant, sympathetically and on merits and pass appropriate orders notwithstanding the dismissal of this application.

3. Application dismissed. No costs.



R.RANGARAJAN
ADMINISTRATIVE MEMBER



C.SANKARAN NAIR(J)
VICE CHAIRMAN

Dated the 23rd June, 1993.

.3.

List of Annexures:

1. Annexure I

True copy of the order No. 5/15/86-DMHS/588 dated 24.2.1993 issued by the 2nd respondent.

2. Annexure II

True copy of the representation dated 15.3.1993 of the applicant to the Secretary, Medical and Health, Kavarathi.