

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA 525/2000

Wednesday the 24th day of May, 2000.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

K.K.Ambujakshi  
W/o Mohanan Pillai  
residing at Kunduvelil House  
Nettoor P.O. Ernakulam  
Employed as Assistant in the Office  
of the Regional Passport Officer  
Kochi.

...Applicant

By advocate Mr Asok M. Cherian

Versus

1. The Joint Secretary (CPV)  
and Chief Passport Officer  
Ministry of External Affairs  
Government of India, New Delhi.
2. Under Secretary (PVA)  
Ministry of External Affairs, New Delhi.
3. The Regional Passport Officer, Cochin.
4. The Regional Passport Officer, Trichy
5. Union of India represented by  
Secretary to Ministry of External Affairs  
New Delhi.

...Respondents

By advocate Mrs P.Vani, ACGSC

The application having been heard on 24th May, 2000,  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicant working as Assistant in the Passport Office, Ernakulam was by order dated 5th April, 2000 transferred to Passport Office, Trichy. The transfer was part of a general transfer. Many officials who were transferred as also the applicant made representations for retention but by order dated 10-5-2000 the requests of some of the officials for retention were acceded to and those of others were not. The applicant belongs to the class whose request was not acceded to. Aggrieved, the applicant

has filed this application for setting aside A-1 order to the extent it affects her. It has been alleged in the application that the applicant is orthopaedically handicapped to the extent of 50%, her left leg being shorter than the right, that she needs the constant attention of her husband and that her transfer to Trichy would bring to bear on her undue hardship. With these allegations, the applicant has filed this application for setting aside A-1 impugned order to the extent it affects her.

2. We have perused the application and the materials placed on record and have heard the learned counsel appearing for the applicant as also the Additional Central Government Standing Counsel appearing for the respondents.

It is true that the applicant is orthopaedically handicapped. This fact is not disputed. The competent authority has considered the representations of the officials including the applicant for retention and on administrative grounds, it was found not feasible to accede to the requests of all but the requests of some of them had been acceded to. There is no allegation that the competent authority was biased against the applicant or that her case not given consideration in a dispassionate manner. However, learned counsel of the applicant argued that the order<sup>(A-5)</sup> by which the request of the applicant was not acceded to does not contain the reason for rejection of her request and that therefore it is devoid of application of mind. Firstly, the applicant has not impugned the Annexure A-5 order. Secondly A-5 order passed after considering the requests of a number of officials for retention on various grounds accepting the requests of some while not acceding to that of others is purely an administrative order and not a quasi judicial order. In a routine administrative order it is neither obligatory nor practicable to give detailed reasons

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for not acceding to the requests. It can be seen from Annexure A-5 that the competent authority on a consideration of all the representations took into consideration the facts and circumstances and the administrative feasibility and decided to accede to the requests of some of the officials to the extent feasible. As there is no allegation of malafides, we find no reason to interfere at all.

3. In the result, finding that the application does not deserve to be admitted, it is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

No costs.

Dated 24th May, 2000.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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Annexures referred to in this order:

- A-1: True copy of the order No.nil dated 5.4.2000 of the second respondent.
- A-5: True copy of the circular dated 10.5.2000 circulated by the 2nd respondent to various passport offices.