

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 561 of 2010

Tuesday, this the 3rd day of August, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

Melvin Mendez,
 Superintendent,
 Passport Office, Kochi. **Applicant**

(By Advocate – Mr. Pratap for Mr. P Ramakrishnan)

V e r s u s

- 1. The Joint Secretary (CPV)
 and Chief Passport Officer,
 Ministry of External Affairs,
 New Delhi.
- 2. The Passport Officer, Regional
 Passport Office,
 Panampilly Nagar, Kochi **Respondents**

(By Advocate – Mr. Rajesh for Mr. Sunil Jacob Jose, SCGSC)

The application having been heard on 03.08.2010, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Mr. K. George Joseph, Administrative Member -

Challenging the Annexure A-2 transfer order the applicant filed this Original Application.

- 2. The main contention raised by the applicant is that he is entitled to be



retained in the present station. Further it is the contention that there are seniors to the applicant available and as per the transfer policy the transfer can be only on station seniority basis. The further case of the applicant is that he is entitled for the benefit granted to the physically handicapped persons as per provisions contained in the guidelines for such persons.

3. The OA has been admitted and notices ordered to the respondents. While admitting the OA this Tribunal has already issued an interim stay order of the operation of Annexure A-2 order. However, the respondents have already filed a reply statement in this matter in which it is stated that the posting at Bangalore is necessitated because of the administrative exigency as a Passport Seva Project has been launched on 28.05.10 in Karnataka to deliver passport related services to the citizens timely, transparently and more accessibly for which requires the services of experienced officers in Superintendent level. Further it is stated that as per the judgement of the Apex Court the transfer on administrative exigency or interest, the Tribunal shall not interfere in the matter.

4. When the matter came up for consideration today, the counsel appearing for the applicant submitted that the earlier order of transfer Annexure A-2 has been revised confining to the transfer for one year for which the applicant is willing to accommodate and the applicant has already joined at Bangalore.

5. In the above circumstances, recording the above facts, the O.A stands



disposed of and nothing is to be further adjudicated in this OA. No order as to costs.


(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER


(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

“SA”