

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.568/99

Monday this the 7th day of June, 1999

CORAM

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

P.K.Jose S/o Kuriakose,
aged 42years,
Senior Telecom Office Assistant,
(G), Telephone Revenue Unit,
Kasargode.

...Applicant

(By Advocate Mr. M.R.Rajendran Nair (rep.))

Vs.

1. The Accounts Officer, TRA Unit
(Telephone Revenue Accounts), Kasargode,
2. The General Manager,
Telecom, Kannur.

...Respondents

(By Advocate Mr. T.A.Unnikrishnan)

The application having been heard on 7.6.99, 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 Senior Telecom Office Assistant, Telecom Revenue Unit, Kasargode has been making repeated representations for a transfer to Kannur or Thalimparamba. Ultimately by order dated 17.2.99 (A3) the second respondent ordered the transfer of the applicant to TRA, Kannur with immediate effect. The grievance of the applicant is that in spite of the above order of transfer the first respondent is not relieving him. His representation to the second respondent on this aspect also has not evinced any response. Therefore, the applicant has filed this application for a declaration that the applicant is

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entitled to be relieved from Kasargode on the basis of the A3 order and for a direction to the first respondent to relieve the applicant forthwith.

2. When the application came up for hearing on 26.5.99 the learned counsel for the respondents sought two weeks' time to get instructions and to make a statement. However, when the application came up on 1.6.99 again the counsel for the respondents sought further time. Today when the application came up for disposal, the learned counsel for the respondents states that the fact that the applicant has been ordered to be transferred to Kannur by A3 order is not disputed but his relief could not be effected so far owing to a acute shortage of staff at Kasargode. It is also stated that steps have been taken for transferring a person to Kasargode or for some alternate arrangements and that the applicant would be relieved as early as possible.

3. Learned counsel for the applicant states that on the basis of the order of transfer the applicant has already taken up a house at Kannur and his child has been admitted in a school there and that if the relief is further delayed he will be put to irreparable injury and hardship.

4. In the light of the above development and the statement of the counsel on either side, the application is disposed of directing the respondents to relieve the applicant on the basis of the A3 order as expeditiously as possible but at any rate not later than within a period of three weeks from today. There is no order as to costs.

Dated the 7th day of June, 1999.


A.V. HARIDASAN
VICE CHAIRMAN

List of Annexure referred to in the Order:

Annexure.A3: True copy of the Order dated 17.2.99
No.ST-40/TOA/GENL/178 issued by the
Assistant General Manager, Office of the 2nd
respondent.

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