

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 580 of 2004

Monday, this the 2nd day of August, 2004

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. C.B. Pillai,
Superintending Engineer,
Doordarshan Kendra,
Kudappanakunnu,
Thiruvananthapuram.Applicant

[By Advocate Shri P. Santhoshkumar]

Versus

1. Union of India represented by the
Secretary, Ministry of Information and
Broadcasting, New Delhi.
2. Prasar Bharathi (Broadcasting Corporation
of India), New Delhi represented by the
Chief Executive Officer.
3. The Director General,
Prasar Bharathi (Broadcasting Corporation
of India), Doordarshan Kendra, New Delhi.
4. The Director, Doordarshan Kendra,
Kudappanakunnu, Thiruvananthapuram.
5. Abraham George,
Superintending Engineer,
Doordarshan Kendra, Kudappanakunnu,
Thiruvananthapuram.Respondents

[By Advocate Shri C. Rajendran, SCGSC (R1 to R4)]

The application having been heard on 2-8-2004, the
Tribunal on the same day delivered the following:

O R D E R


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

The applicant, Superintending Engineer under the 4th
respondent, submitted a representation on 8-7-2004 to the
Engineer-in-Chief, Doordarshan Bhavan, New Delhi apprehending
that he would be shifted and requesting that he may be retained
for at least 9 months on account of his pressing family

problems of illness of wife, who is said to be a psychic patient. However, before any decision on the representation was taken, the impugned order dated 29-7-2004 (Annexure A3) has been issued by which he has been transferred to Chennai and the 5th respondent has been posted in his place. The applicant thereupon made Annexure A4 representation to the 2nd respondent explaining the personal problems he is facing and requesting that he be allowed to continue at least for a period of 3 months so that he could take voluntary retirement. Finding that the 5th respondent has already reported and apprehending that he would be immediately relieved, the applicant has filed this application seeking to set aside Annexure A3 order of his transfer and for a declaration that he is entitled to continue at Thiruvananthapuram till March 2005 and to retire voluntarily from service on that day.

2. When the application came up for hearing, Shri C.Rajendran, SCGSC took notice on behalf of the respondents 1 to 4. Counsel agree that the applicant has not been relieved from the post at Thiruvananthapuram and that the application may be disposed of directing the 2nd respondent to consider Annexure A4 representation and to give the applicant an appropriate reply within a reasonable time keeping the relief of the applicant pending till such an order on the representation is served on him.

3. In the light of the above statement by the learned counsel on either side, the Original Application is disposed of directing the 2nd respondent to consider Annexure A4 representation of the applicant taking into account Annexure A2 medical certificate and other relevant facts and circumstances and to give the applicant an appropriate reply on the representation as expeditiously as possible. We also direct



..3..

that till a decision on Annexure A4 representation of the applicant is served on him, the applicant shall not be relieved from the present place of his posting. There is no order as to costs.

Monday, this the 2nd day of August, 2004

H.P. Das

H.P. DAS
ADMINISTRATIVE MEMBER

A.V. Haridasan

A.V. HARIDASAN
VICE CHAIRMAN

Ak.