

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No. 599 OF 2007

Thursday, this the 15th day of November, 2007.

CORAM :

HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN

Abraham George
Superintending Engineer,
Doordarshan Kendra,
Thiruvananthapuram
Residing at : Plot No.,20
Yamuna Colony, Kudappanakkunnu
Thiruvananthapuram – 695 043 : **Applicant**

(By Advocate Mr. U.Balagangadharan)

Versus

1. Union of India represented by Secretary
Ministry of I & B
New Delhi
2. Prasar Bharathi (Broadcasting Corporation of India)
New Delhi. Represented by its Chief Executive Officer
3. The Director General
Doordarshan, Copernicus Marg, New Delhi
4. The Director
Doordarshan Kendra, Kudappanakkunnu,
Thiruvananthapuram
5. Shri C.B.Pillai, Director (E)
Office of Chief Engineer (SZ)
Chennai : **Respondents**

(By Advocate Mr. TPM Ibrahim Khan, SCGSC (R-1)
Advocate Mr.N.N.Sugunapalan, Senior with Mr.S.Sujin (R2-4)
Advocate Mr.P.Santhosh Kumar (R-5))

The application having been heard on 15.11.2007, the Tribunal
on the same day delivered the following :

O R D E R

HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN

The applicant is seeking the following reliefs on the ground
that he was a chronic heart patient and has only two years for

retirement and he requires to be treated at Sree Chithira Thirunal Institute at Trivandrum :-

- i) Direct the respondents to call for the records leading to Annexure A-8 and set aside Annexure A-8 the same as arbitrary and illegal to the extent it seeks to transfer the applicant from Thiruvananthapuram to Bangalore;
- ii) Direct the respondents to retain the applicant at Thiruvananthapuram till he retires from service on attaining superannuation.
- iii) Declare that the applicant is entitled to continue at Thiruvananthapuram till he retires from service on superannuation.

He has alleged that Respondent No.5 has been shifted from Chennai and posted at Trivandrum and only for accommodating Respondent No.,5, his transfer has been made.

2. Official respondents and respondent No.5 have filed reply statement. When the matter came up on 28.09.2007, we directed the respondents to consider the representations of the applicant in the light of the transfer guidelines and report the matter by the next date of hearing. Today when the matter came up, counsel for respondents submitted that the applicant's representation for retention at Trivandrum has been considered favourably by them and they propose to issue an order retaining him at Trivandrum by transferring a post from All India Radio, Alleppey to All India Radio, Trivandrum with immediate effect and have sought permission of the Court to issue the appointment order by vacating the interim direction at Annexure A-6 issued by them. I have considered the submissions of the counsel for the applicant also. I am of the view that now that the respondents have considered the representation of the applicant

: 3 :

for retention at Trivandrum and since both the applicant and Respondent No.5 are on the verge of retirement and the respondents have now proposed to give him a posting at Trivandrum duly considering his difficulties, nothing more remains to be granted in the prayer for interim relief. The interim order granted earlier is vacated. Respondents are directed to issue the order retaining the applicant at Trivandrum as proposed and it is also directed that he should be allowed to remain at Trivandrum without any further disturbance till his retirement.

3. The OA is disposed of accordingly. No costs.

Dated, the 15th November, 2007.

Sath. Nair
SATHI NAIR
VICE CHAIRMAN

vs