

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. 63/97

MONDAY, THIS THE 10TH DAY OF FEBRUARY, 1997.

C O R A M:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K.G. Rajasekharan Nair  
Technician, Telephone Exchange,  
Peerumedu.

residing at Kollala House, Thilliyoar  
(Via) Vennikulam, Thiruvalla.

..Applicant

By Advocate Mr. M.R. Rajendran Nair

Vs.

1. General Manager, Telecom, Ernakulam.
2. Chief General Manager, Telecom, Trivandrum.
3. The Sub Divisional Engineer Telegraph, Peerumedu.

..Respondents


By Advocate Mr. James Kurian, ACGSC

The application having been heard on 10.2.97, the  
Tribunal on the same day delivered the following:

O R D E R

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

The relief prayed for in this application is for a declaration that the applicant is entitled to a transfer to Pathanamthitta Secondary Switching Area and for a direction to the respondents to consider his request for a transfer to that place, and also for a direction to respondents to implement Annexure A4 order at the earliest. Annexure A4 order in part is an order of transfer of the applicant to Ernakulam Secondary Switching Area against joining of the substitute Smt. K.P. Alli. The applicant has alleged that his case for transfer to Pathanamthitta Secondary Switching Area has not been considered by the respondents and that despite of the order at Annexure A4, his posting to Ernakulam SSA is also kept in abeyance indefinitely.



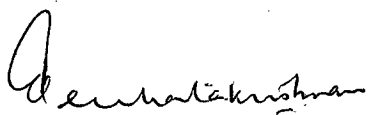
2. Respondents have filed a reply in which they have stated that the applicant does not have a right to be posted in Pathanamthitta SSA but his request along with similar requests have been listed and his number is being 8 in the waiting list, his request for transfer will be considered in his turn. Regarding giving effect to Annexure A4 order to the extent of relieving the applicant to join Ernakulam SSA is concerned, respondents have stated that as soon as the substitute joins the Peerumede Exchange, the applicant would be relieved and that before that it is not possible to relieve the applicant because of the administrative constraints.

3. Noting the above stated submission of the respondents the learned counsel for applicant submitted that the application may be disposed of with a direction to the respondents to relieve the applicant immediately on joining of the substitute and to consider his transfer to Pathanamthitta SSA in his turn.

4. In the light of the above statement of the respondents as also the submission of the learned counsel for applicant, we admit and dispose of the application with the direction to respondents to consider relieving of the applicant without delay on the substitute joining Peerumede Exchange and to consider the case of the applicant for a transfer to Pathanamthitta SSA in his turn.

5. There shall be no order as to costs.

Dated the 10th February, 1997.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A4: True copy of the Order No.ST/EK-261/7/11/30 dated 23.12.1996 issued by the Assistant General Manager (Administration), Office of the 1st respondent.

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