

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 615/98

Thursday the 30th day of April 1998.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR S.K. GHOSAL, ADMINISTRATIVE MEMBER

M.P.Singh
S/o Sher Singh
Technician
Chakkittappara Telephone Exchange
Kozhikode
R/o 'GEMS', Chakkittappara -673 526 ...Applicant

(By advocate Mr MR Rajendran Nair (Rep)

Versus

1. Chairman
Telecom Commission
New Delhi.
2. Director (Maintenance)
Northern Telecom Region
Kidwai Bhavan, New Delhi.
3. The General Manager
Telecom, Kozhikode.

... Respondents.

(By advocate Mr S. Radhakrishnam (Rep)

The application having been heard on 30th April 1998, the Tribunal on the same day delivered the following:

ORDER

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

Applicant in this case, while working in the Delhi Circle as a Technician in 1994, was transferred to Kerala Circle, as a criminal investigation was pending, alongwith a few other co-accused. Finding that the other co-accused had already been re-transferred to Delhi Circle, the applicant made a representation for his re-transfer to Delhi Circle. As he has not been favoured with a reply yet, he has filed this application for a declaration that the retention of the applicant in Calicut even after two years of his transfer to Kerala Circle on the ground of pendency of investigation is illegal and for a direction to respondents to re-transfer the applicant to Delhi or nearby Delhi like Noida, Ghaziabad. He has also sought a direction to the respondents to relieve him immediately.

2. When the application came up for hearing today, learned counsel for respondents produced for our perusal an order re-transferring the applicant to U.P. (East) Circle and directing him to report for duty. Now the relief sought for in this application has almost been granted, but for a posting in Delhi or nearby as he has been transferred to report in East U.P. Circle. That part of the relief can be considered after the applicant reports for duty and he make a representation in that regard.

3. In the result, in view of the fact that the controversy involved in this case has been practically reduced to nothing, we dispose of the application directing the applicant to report for duty at U.P. (Eastern) Circle. After reporting there, applicant may make a request for posting to a convenient place which the competent authority may consider sympathetically, taking into account the fact that the applicant had been far away from home for more than two years.

Dated 30th April 1998.

(S.K. GHOSAL)
ADMINISTRATIVE MEMBER

aa.


(A.V. HARIDASAN)
VICE CHAIRMAN