

NVK & AVH

Mr MR Rajendran Nair for the applicant.

Mr KA Cherian for Respondents 1 & 2. None for R-3.

The matter is part heard. The matter relates to the transfer of the applicant. Counsel of applicant submits that as a matter of fact Respondent-3 is not at all interested in posting at Sherthalai where she has been posted by the impugned order, but she is interested in the posting either in Ernakulam or Trichur Districts as mentioned in the rejoinder. It is also submitted that the transfer of Respondent-3 to Sherthalai has been made without considering the earlier request of the applicant at Annexure-III for such a transfer on request.

2 Having heard the parties we are of the view that the respondents should now be permitted to consider these matters and if they ~~do~~ find <sup>it proper</sup> ~~necessary~~, they could consider transferring Respondent-3 to either Ernakulam or Trichur if vacancies arise there and to consider the transfer of the applicant to Sherthalai. This may be done within a period of 3 ~~months~~. weeks

3 List the case for further hearing on 3.10.91 on which date if this does not materialise, respondents are directed to submit a statement as to how Respondent-3, who ~~has~~ been transferred to Pathanamthitta only 6 months earlier has been transferred to Sherthalai on own request though an earlier request of the applicant was pending.

4 Copy of the order be given to the parties by hand.

10.9.91

NVK & AVH

Mr MR Rajendran Nair for applicant

Mr KA Cherian, ACGSC for respondents 1&2

In this case we had passed an interim order on 10.9.91 giving permission to the respondents to consider the transfers of the applicant and respondent-2, so that on whatever decision they take, on that basis the application can be disposed if possible.

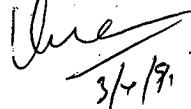
3-10-91  
(20)

ANV  
10/9/91  
MR BOB

When the case came up for hearing today, the learned counsel for the respondents 1&2 brought to our attention the statement filed by him and the order dated 26.9.91 issued by the PMG, Cochin effecting certain transfers. The learned counsel for the applicant on whom the copy of this statement has been served submits that in the light of the order dated 26.9.91, no grievance exists at present for adjudication and accordingly the application may be closed.

We have perused the statement and the order dated 26.9.91 and we are of the view that the application has now become ~~unfructuous~~. Accordingly the application is dismissed.

  
( AV HARIDASAN )  
JUDICIAL MEMBER

  
( NVKRISHNAN )  
ADMVE. MEMBER

3-10-1991

FO/  
PZB  
MR BC

FO circ'd  
FILED  
PZB