

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

D. A. No.  
~~XXXXXX~~

105 of 1992

DATE OF DECISION 29.1.92

P.P.Pookoya

Applicant (s)

M/s K.P.Dandapani &  
K.Jaju Babu

Advocate for the Applicant (s)

Versus

Collector-cum-Development  
Commissioner, UT of Lakshadweep  
and three others

Mr.NN Sugunapalan, SCGSC

Advocate for the Respondent (s)  
through proxy counsel

CORAM :

The Hon'ble Mr. S.P.Mukerji - Vice Chairman

and

The Hon'ble Mr. A.V.Haridasan - Judicial Member

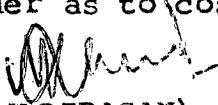
1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

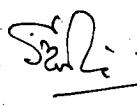
JUDGEMENT

(Hon'ble Shri A.V.Haridasan, Judicial Member)

The applicant, an Inspector of Weights & Measures at Minicoy has in this application dated 20.1.92 impugned the order dated 8.1.92 of the first respondent by which he stands transferred to Kavarathi while the incumbent at Kavarathi stands transferred to Minicoy immediately on receipt of the order of transfer. The applicant had made a representation to the first respondent for a reconsideration of his transfer. He had explained the difficulties which he and his family would be driven to in the event of the transfer being given effect to immediately. Before the representation was disposed of by the first respondent, the applicant has filed this application impugning the order of transfer.

2. Shri N.N.Sugunapalan, Sr.Central Government Standing Counsel entered appearance on behalf of the respondents. By our order dated 21.1.92 we have directed that status quo as on that date should be maintained till further orders are given in regard to the continuance of the applicant. Shri Sugunapalan also undertook to get further details in regard to the administrative exigency which necessitated the transfer of the applicant at the fag end of the academic session. But that information is not forthcoming even now. When the application came up for further hearing today the learned counsel for the applicant submitted that the applicant would be satisfied if the respondents agree to retain the applicant at Kavarathi till the close of the present academic session ie., till 31.3.1992. We are convinced that the continuance of the applicant at Minicoi for another two months will not in any way interfere with the working of the department of Weights & Measures. We understand that as per the Government policy regarding transfer as far as possible transfers are avoided during the course of the academic session. The learned Sr.Central Government Standing Counsel also expressed that the respondents may not have any serious inconvenience in giving such a direction. In view of the above submission at the Bar, we admit this application and dispose of the same with the direction to the respondents that the impugned order of transfer shall be given effect to only after 31.3.1992. There is no order as to costs.

  
(A.V. HARIDASAN)  
JUDICIAL MEMBER

  
(S.P. MUKERJI)  
VICE CHAIRMAN

29.1.92

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