

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.117/96, O.A.118/96 and O.A.119/96

Tuesday, this the 6th day of February, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

O.A.117/96

A Ramakrishnan,  
Upper Division Clerk,  
All India Radio,  
Calicut.

- Applicant

By Advocate Mr MR Rajendran Nair

Vs.

1. The Director General,  
All India Radio,  
New Delhi.
  2. The Station Director,  
All India Radio,  
Trivandrum.
  3. The Station Engineer,  
All India Radio,  
Kozhikode.
  4. K Sahadevan,  
Upper Division Clerk,  
All India Radio,  
Devikulam.
  5. Union of India represented by  
Secretary to Government of India,  
Ministry of Information and  
Broadcasting, New Delhi.
- Respondents

By Advocate Mr TPM Ibrahimkhan, Senior Central Government  
Standing Counsel (for R.1,2,3 and 5)

O.A.118/96

PN Kurup,  
Upper Division Clerk,  
All India Radio,  
Beach Road,  
Calicut-673 032.

- Applicant

By Advocate Mr MR Rajendran Nair

Vs.

1. The Station Engineer,  
All India Radio,  
Calicut.
2. The Director General,  
All India Radio,  
Akashvani Bhavan,  
New Delhi.
3. Prasannan,  
Accountant,  
High Power Transmitter,  
All India Radio, Alleppey.  
(Former Administrative Officer,  
All India Radio, Calicut.)
4. The Station Director,  
All India Radio,  
Trivandrum-695 014.
5. Union of India represented by  
Secretary to Government of India,  
Ministry of Information and  
Broadcasting, New Delhi. - Respondents

By Advocate Mr TPM Ibrahimkhan, Senior Central Government  
Standing Counsel(for R. 1,2,4 and 5)

O.A.119/96

Albert Joshua,  
Senior Store Keeper,  
All India Radio,  
Calicut. - Applicant

By Advocate Mr MR Rajendran Nair

Vs.

1. The Station Director,  
All India Radio,  
Thiruvananthapuram.
2. The Station Engineer,  
All India Radio, Calicut.
3. Union of India represented by  
Secretary to Government,  
Ministry of Information and  
Broadcasting, New Delhi. - Respondents

By Advocate Mr TPM Ibrahimkhan, Senior Central Government  
Standing Counsel(for R.1 to 3)

The applications having been heard on 6.2.96 the Tribunal on the same day delivered the following:

O R D E R

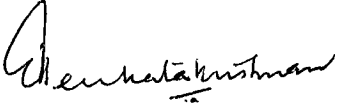
CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

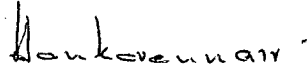
The applicants herein are aggrieved by an order of transfer produced as A1 in all the cases. According to applicants the order is not issued for valid or proper reasons. As far as an order of transfer is concerned, Courts/Tribunal can interfere only if malafides are shown. Nothing has been brought to our notice to raise an inference of malafides. But, counsel for applicants submits that there are malafides which can be discerned by deeper scrutiny. Counsel submits that applicants desire to move the Secretary to Government of India, Ministry of Information and Broadcasting, New Delhi against the orders of transfer and that the order A1 may be held in abeyance till the representations, are considered and disposed of. We are not inclined to hold the order in abeyance. Alternatively applicants sought permission to go on leave for one month and sought a direction to dispose of the representations within one month. Representations will be made forthwith, and copies thereof will be sent to respondent-Station Director, Trivandrum, who in turn will forward the copies of representations, records, if any, and his remarks to the Secretary to

Government of India, who will take a decision in the matter within one month from the date on which applicants enter on leave. If no decision is taken within a month, the impugned orders will be held in abeyance till a decision is taken.

2. Applications are disposed of as aforesaid. No costs.

Dated, the 6th day of February, 1996.

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

trs

LIST OF ANNEXURES

QA 117/96

1. Annexure A1: True copy of the Order No.TVM-1(10)96-S/  
dated 22.1.1996 issued by 2nd respondent to the applicant.

QA 118/96

1. Annexure A1: True copy of the order No.TVM-1(10)/96-6/  
dated 22.1.1996 issued by 4th respondent to the applicant.

QA 119/96

1. Annexure A1: True copy of the order No.TVM-1(10)96-S/  
dated 22.1.1996 issued by 1st respondent to the applicant.

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