

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 130/97

WEDNESDAY, THIS THE 19TH 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

D. Samuel S/o M. Daneal
Technician, Telephone Exchange,
Vandiperiyar.

..Applicant

By Advocate Mr. M.R.Rajendran Nair

Vs.,

1. The Assistant General Manager (Administration),
Office of the General Manager,
Telecom District, Ernakulam.
2. Sub-Divisional Engineer, Telephones,
Vandiperiyar.

..Respondents

By Advocate Mr. T.R. Ramachandran Nair, ACGSC

The application having been heard on 19.2.97, the
Tribunal on the same day delivered the following:

O R D E R

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

The prayer in this application is to declare that the applicant is entitled to be relieved on the basis of Annexure A1 transfer order and for a direction to relieve the applicant forthwith.

2. The respondents in their reply statement have stated that Annexure A1 order has since been revised by Annexure R1 order dated 27.1.97 by which the applicant has been transferred to D.E.Installation.I, Ernakulam that one Shri P.O.Varghese.II has been transferred to the Telephone Exchange, Vandiperiyar and that on Shri P.O. Varghese.II joining on the post, the applicant will be relieved.

2. The learned counsel for respondents stated that Shri P.O. Varghese.II has entered on medical leave and the moment he

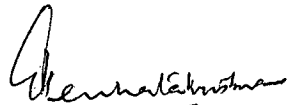
reports at Vandipriyar, the applicant will be relieved.

3. In the light of the above statement by the respondents in their reply as also by the learned counsel for respondents at the Bar, the controversy in this case has narrowed down. Therefore, we admit the application and dispose of it with the direction to the respondents to relieve the applicant when the substitute posted in his place joins the post.

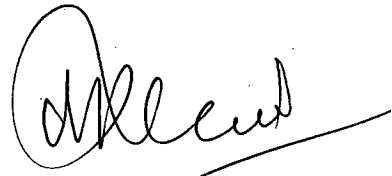
4. Regarding the prayer for officiating promotion to the applicant, the same is not connected with the other reliefs sought in the application. The learned counsel for applicant seeks permission to seek relief in this regard either from the department or by resorting to a separate application. The permission is granted.

5. There shall be no order as to costs.

Dated the 19th February, 1997,



P.V. VENKATĀKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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List of Annexures

Annexure A1: True copy of the order No.ST/EK-261/7/80
dated 18.6.96 issued by 1st respondent.

Annexure R1: True copy of the Transfer orders issued by the
Assistant General Manager (Admn.), Ernakulam.