

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 147/97

MONDAY, THIS THE 10TH DAY OF FEBRUARY, 1997.

CORAM:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

A. Nizarudeen
Lower Division Clerk
INS Garuda,
Kochi-682 004.

By Advocate Mr. G. Sasidharan Chempazhanthiyil

Vs.

1. Sri R.S. Vasan
Commodore
Commanding Officer,
INS Garuda, Kochi.
2. Flag Officer
Commanding-in-Chief
Head Quarters
Southern Naval Command,
Kochi-4.
3. Officer-in-Charge
Naval Armament Inspectorate,
Karakulam
Thiruvananthapuram.

..Respondents

By Advocate Mr. T.P.M. Ibrahim Khan, SCGSC for R 2 & 3

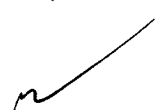
The application having been heard on 10.2.97 the
Tribunal on the same day delivered the following:

O R D E R

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

The grievance of the applicant who is a physically handicapped is that though respondents have invited application for appointment to the post of Lower Division Clerk in Trivandrum on a temporary working arrangement basis and though the applicant is the only eligible handicapped person who has applied for the transfer, the respondents have not issued the orders so far.

2. When the application came up for admission on 28.1.97 the learned counsel of the respondents sought time to ascertain



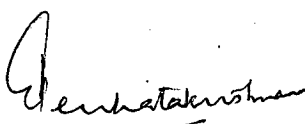
..2..

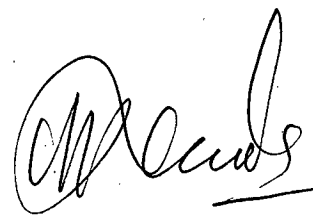
whether it would be feasible to accommodate the applicant at Trivandrum. Today, the counsel under instruction from the department states that though the applicant has expressed his willingness to be transferred to Trivandrum, the transfer could not be made at that time as the applicant was facing a disciplinary proceeding and that now as the proceedings are over, nothing stands in the way of the applicant being considered if there is still vacancy. He further states that the case of the applicant for a transfer to Trivandrum will be considered against any post whether temporary or permanent if and when falls vacant in accordance with law.

4. In the result, the application is admitted and disposed of with the direction to the respondents to consider the transfer of the applicant as Lower Division Clerk to Trivandrum in the light of the instructions in regard to posting of handicapped employees, without further delay if a post is presently available or if no post is available, in the next arising vacancy.

5. There is no order as to costs.

Dated the 10th February, 1997.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

kmn