

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.15/2002.

Thursday this the 11th day of April 2002.

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

P.G.David, Driver Grade-II,
Central Ground Water Board,
Kerala, Trivandrum. Applicant

(By Advocate S/Shri MR Rajendran Nair, Sreeraj R, Hariraj, PA Kumaran, Rani Diothima P, TM Reshma).

VS.

1. Union of India represented by its Secretary to the Government of India, Ministry of Water Resources, Faridabad-121001.
2. The Chairman, Central Ground Water Board, C.G.O.Complex, N.H.V.-Faridbad.
3. The Director Administration, Central Ground Water Board, C.G.O.Complex, N.H.V.-Faridabad 121001.
4. Administrative Officer, Central Ground Water Board, C.G.O.Complex, N.H.V.-Faridabad 121001.
5. The Regional Director, Central Ground Water Board, Kerala Region, Trivandrum. Respondents

(By Advocate Shri C.Rajendran, SCGSC)

The application having been heard on 11th April 2002 the Tribunal on the same day delivered the following:

○ R D E R

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

The applicant, Driver Grade-II in the Central Ground water Board, Trivandrum is aggrieved by the impugned order at A-1 transferring him to Kolkota on the ground of surplusage. The applicant has filed this application challenging the impugned order A-12. The applicant is now continuing in the place of his present posting on the basis of the interim order.

2. The respondents have filed a reply statement opposing the grant of relief.

3. When the O.A. came up for hearing today, learned counsel of the applicant states that the applicant has come to possess further materials which would strengthen his claim and the application may be disposed of permitting the applicant to make a detailed representation to the 2nd respondent requesting cancellation of the transfer within three weeks from today and directing the 2nd respondent to consider the same and to give him an appropriate reply keeping the relief of the applicant in abeyance until the expiry of three working days after service of the order of the 2nd respondent on her. Learned counsel of the respondents also agreed that the O.A. may be disposed of in that manner.

3. In the result, in the light of the submission made by the learned counsel on either side, without going into the merits of the case, we dispose of this application permitting the applicant to make a detailed representation to the 2nd respondent seeking his retention in Trivandrum within three weeks from today and directing the 2nd respondent that, on receipt of the representation, the same shall be considered and a reply be given to the applicant. We also direct that the relief of the applicant shall be kept in abeyance and that if the decision of the second respondent on the representation is not in his favour, he shall not be relieved until after expiry of three clear working days of service of the order on him. No costs.

Dated the 11th April 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

- 3 -
A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the office order No.949 of 2001 dated 20.12.2001 Administrative Officer.
2. A-2: A true copy of the relevant portion of the Transfer norms for Group 'B' (Non Gazetted) Group C and Group D officials issued by the 1st respondent vide letter NO.28-4/2000-GC dt.20.9.2000.
3. A-3: True copy of the representation submitted by the applicant before the 2nd respondent dated 2.1.02.
4. A-4: True copy of O.M.No.17-1/2001-Min.Estt. 5016 dated 28.6.2001 issued for the 1st respondent.
5. A-5: True copy of the seniority list of Driver Grade I as on 31.3.2000 in CGWB.
6. A-6: True copy of the Officer Order No.1000 of 2001 dated 3/1/2002 issued for 1st respondent.
7. A-7: True copy of the seniority list of Grade ii Drivers as on 1.4.2001.
8. A-8: True copy of the Memo NO.17-1/2001-Min Estt. dated 21.3.2002 issued for Director (Admn.)

Respondents' Annexures:

1. R-1: True photo copy of OM No.CGWB/SIDA/Estt/GENL/ 85/885 dated 19.6.85 the appointment order issued at the applicant, by the Director, CGWB, Trivandrum.
2. R-2: True photo copy of letter No.17-2/2001/MIN. Estt/826 dated 11.10.2001 issued by CGWB, Faridabad-1, regarding Cadre Structure of Drivers.
3. R-3: True photo copy of service details of the drivers in the Regional Office of CGWB at Trivandrum as on 15.2.2002.
4. R-4: True photo copy fax letter dated 8.1.2002 forwarding representation of applicant to Central Hqrs, CGWB, Faridabad.
5. R-5: True photo copy of letter dated 8.1.2002 forwarding 2 representations of applicant to Central Hqrs, CGWB, Faridabad.
6. R-6: True photocopy of appointment order No.7/13/97-GW.I of 22.10.2001 issued by the 1st respondent.
7. R-7: True copy of order NO.666/2001 dated 1st Sep. 2001 issued by the 3rd respondent.
8. R-8: True copy of letter NO.4-3451/85-Min.Estt-9075 dated 9.11.2001 issued by the 3rd respondent.
