

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.159/2001

Friday, this the 9th day of February, 2001.

CORAM:

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

P.A.Sayed Mohammed,
Selection Grade I Driver,
Cable Store Yard Gandhi Nagar,
Office of Sub Divisional Engineer,
Gandhi Nagar,
Cohin-20. - Applicant

By Advocate Mr S.M.Prasanth

Vs

1. Chairman/Managing Director,
Bharat Sanchar Nigam Limited,
Sanchar Bhavan, New Delhi.
2. Principal General Manager,
Telecommunications,
Bharat Sanchar Nigam Limited,
Panampilly Nagar.
3. Assistant General Manager,
Administration,
Office of the Principal General Manager,
Ernakulam Telecom Division,
Cochin-16.
4. Francis Xavier.P.J.
Motor Driver,
Sub Divisional Engineer,
External South Ernakulam,
P.K.V.Buildings,
Ernakulam.
5. Union of India represented by
its Secretary,
M/o Communications,
New Delhi. - Respondents

By Advocate Mr Govindh K Bharathan, SCGSC(for R.1 to 3 & 5)

The application having been heard on 9.2.2001, the Tribunal on the same day delivered the following:

O R D E R

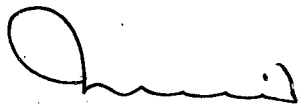
HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicant, a Selection Grade I Driver, Cable Store Yard, office of Sub Divisional Engineer, Cochin, was by the impugned order dated 20.12.2000(A-1), was transferred and posted to the office of the Sub Divisional Engineer, External South, Ernakulam. The applicant is aggrieved by the order. According to the applicant, this order is against the understanding between the Employees' Union and the department that senior Drivers would be made to drive vehicles attached to senior officers or heavy vehicles and that the transfer has been made not in public interest. Therefore, he has filed this application impugning this order.

2. On a careful scrutiny of the application and on hearing the learned counsel of the applicant, we find that filing of this O.A. is a luxurious exercise and also an abuse of the process of the Tribunal. Applicant has not been put to any hardship by the reason of his change of office. He was transferred to the office of Sub Divisional Engineer, External South, which is in Ernakulam itself. So long as there is no change in emoluments or status, an official holding a transferable post, can have no grudge, if he is transferred from one office to another unless the order is vitiated by malafides or is against any statutory rules. No allegation of malafides or infraction of rule is even alleged.

3. In the light of what is stated above, the application does not merit admission and further deliberation. Accordingly, the O.A. is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated, the 9th of February, 2001.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

trs

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-1: True copy of the transfer order No.ST/EK-234/II/1 dated 20.12.2000 issued by the 3rd respondent.