

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. NO.182/2009

Dated this the 10<sup>th</sup> day of February, 2010

C O R A M

HON'BLE SMT. K. NOORJEHAN, ADMINISTRATIVE MEMBER

G. Unnikumar

Telephone Mechanic

Edappon Telephone Exchange

Pattoor PO Chengannur.

.. Applicant

By Advocate Mr. Vishnu S. Chempazhanthiyil

Vs

1        The General Manager  
          Alappuzha Telecom District  
          BSNL, Alappuzha

2        The Chief General Manager  
          BSNL, Kerala Circle  
          Thiruvananthapuram.

.. Respondents.

By Advocate Mr. George Kuruvila

The Application having been heard on 4.2.2010 the Tribunal delivered the following:

O R D E R

HON'BLE SMT. K. NOORJEHAN, ADMINISTRATIVE MEMBER

The applicant who is due to retire on 31.12.2010 is aggrieved by the refusal of the respondents to consider his request for transfer to Alappuzha Town or nearby area on compassionate grounds.



2 The applicant is a Telephone Mechanic under the BSNL. While working under the Sub Divisional Engineer (Phones) Kaychoondy, he was suspended from service under Rule 10 of CCS (CCA) Rules by the Divisional Engineer Phones (External), Alappuzha on 26.9.2003 on account of a criminal case in which he was arraigned as an accused. He was acquitted in the Criminal case and as a result, the suspension was revoked (A-1). However, on the same day he was relieved of his duties to report at Telephone Exchange, Edappon under DET Noornad (A2). He submitted a representation for a posting in Alappuzha town on compassionate grounds and in view of the fact that he is to retire in 2010, but it was not acceded to. Hence he filed this O.A challenging Annexure A-9 order rejecting his request and for a direction to the respondents to consider his transfer to Alappuzha Town or nearby place.

3 The respondents in their reply stated that the applicant was transferred on administrative grounds in the exigency of service, there is acute shortage of trained staff at Edappon whereas Alappuzha or nearby stations are over staffed.

4 The applicant filed rejoinder denying the contention of the respondents that there is shortage of staff at Edappon Exchange and that there is one retirement vacancy in Alappuzha Town which arose, as on 1.1.2010.

5 The respondents filed additional reply statement reiterating their contention in the reply statement.



6 Today when the case was taken up for hearing, the learned counsel for the applicant submitted that the applicant would be satisfied if the O.A. is disposed of with a direction to the respondents to reconsider the request of the applicant. Accordingly, I dispose of the Application with a direction to the respondents to reconsider the request of the applicant for a transfer to Alappuzha Town or nearby place in view of his retirement on 31.12.2010. This shall be done within two months from the date of receipt of a copy of this order. There shall be no order as to costs.

Dated the 10<sup>th</sup> February, 2010

  
**K. NOORJEHAN**  
**ADMINISTRATIVE MEMBER**

Kmn