

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 218 199 3  
Dy. No. 1185/93

DATE OF DECISION 4.2.93

Usha K. Applicant (s)

Mr. Johnson Manayani Advocate for the Applicant (s)

Versus

The Commissioner, National Respondent (s)  
Savings Organisation, Govt. of India  
Nagpur and others

Mr. Gerge C.P. Tharakan, SCGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S. P. MUKERJI VICE CHAIRMAN

The Hon'ble Mr. N. DHARMADAN JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

## JUDGEMENT

MR. N. DHARMADAN JUDICIAL MEMBER

This application has been brought before us on mention in view of the urgency. Accordingly, we have taken the case for admission.

2. Applicant is at present working as District Savings Officer, Ernakulam. She is aggrieved by the order by which she has been posted to Trivandrum. Since the order of transfer was not communicated to the applicant, she was not able to produce the same.

3. According to the applicant, she joined service in 1988 as District Savings Officer, at Kasargod and got a transfer to Ernakulam, her native place in January, 1990. There were nine posts of District Saving Officers in Kerala and while the applicant was working at Ernakulam, four posts were abolished. But as per the seniority list, the applicant

is at sl. No. 2 and she submitted that she can be accommodated at Ernakulam itself. In fact, <sup>by</sup> Annexure-A order dated 29.12.92, the applicant was given a posting at Ernakulam to assist Shri N.V. Nair, Deputy Regional Director, the third respondent. The applicant submitted that there are other vacancies also to allow her to continue at Ernakulam till a reallocation to the posts is made which is under contemplation. The applicant has also some personal difficulties, details of the same have been stated in her representation dated 29.1.93, Annexure-B submitted before the first respondent. This representation has not either been considered or disposed of so far. Hence, applicant has filed this application for a direction to respondents to keep her at Ernakulam on the basis of Annexure A order till further re-allocation of posts are made.

4. A copy of the Original Application has been served on the SCGSC on behalf of the respondents. We have heard learned counsel for respondents also. He is also agreeable that the application can be disposed of at the admission stage itself by giving appropriate directions.

5. Having heard counsel on both sides, we are satisfied that interest of justice will be met in this case if we direct the first respondent to consider and dispose of Annexure-B representation in accordance with law. Accordingly, we admit the application and dispose of it with the above direction. We further direct the respondents to keep in abeyance the transfer of the applicant from Ernakulam <sup>to Trivandrum</sup> till the implementation of the above direction and disposal of Annexure-B representation and communication of the order to the applicant.

6. There shall not be any order as to costs.  
copy by hand.

(N DHARMADAN)  
JUDICIAL MEMBER

Sd/- 4.2.93  
(S.P. MUKERJI)  
VICE CHAIRMAN

4.2.93