

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATE: 27.3.1990

PRESENT

HON'BLE SHRI N. V. KRISHNAN, ADMINISTRATIVE MEMBER

&

HON'BLE SHRI N. DHARMADAN, JUDICIAL MEMBER

O.A. 250/89

P. N. M. Elayadam

Applicant

Vs.

1. The Union of India represented by
the Secretary to Government
Ministry of Defence, New Delhi
2. The Controller General of Defence
Accounts, West Block-V, R. K. Puram
New Delhi
3. The Controller of Defence Accounts
(Navy), No. 1 Corporate Road, Marine
Bombay-39 and
4. The Dy. Controller of Defence
Accounts (Navy), Area Accounts
Office, Naval Base, Cochin-4

Respondents

M/s. K. Usha &
Mathew George Vadakkal

Counsel for the
applicant

Mr. T. P. M. Ibrahim Khan, ACGSC

Counsel for the
respondents

ORDER

HON'BLE SHRI N. V. KRISHNAN, ADMINISTRATIVE MEMBER

This application is directed against the transfer
of the applicant to Bangalore by Annexure-IV order dated
13.3.1989. During the course of the proceedings it was
submitted by the counsel of the applicant that even if

a transfer was necessary it was not essential to transfer the applicant to Bangalore as vacancies were available in Kerala itself.

2. The respondents were given an opportunity to verify whether such is the case and whether in that event the applicant can be accommodated in any other vacancies in Kerala. The applicant however was keen on ~~the~~ one vacancy in SNLA, Alwaye.

3. When the case came up for final hearing today, the counsel for the respondents submitted on the basis of information received by him, that one ^{at Alwaye} vacancy that had arisen/had already been filled, though the applicant seems to doubt this position. It is also ^{stated} ~~established~~ that a few vacancies have recently been reported in the PAO (ORs), Cannannore. As Cannannore is also one of the choice stations of the applicant, and as vacancy has arisen there, the respondents stated that the applicant can be accommodated in the PAO(ORs) Cannannore.

4. In view of the statement of the counsel for respondents, there is nothing ^{that} remains in this case. In the circumstances, we close the case with the following directions:


- (i) The respondents should transfer the applicant to PAO(ORs), Cannannore after cancelling the impugned order.

Am. IV.

(ii) Before doing so, respondents should verify again as to whether a vacancy is existing at Alwaye as still averred by the counsel for the applicant and if there is one, the respondents should consider the applicant for transfer to that post at Alwaye.

5. The application is disposed of with the aforesaid direction


(N. Dharmadan) 27.3.90
Judicial Member


27/3/90
(N. V. Krishnan)
Administrative Member

kmm