

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Date of Decision: 08-08-90

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 judgment? *Y*
2. To be referred to the Reporter or not? *N*
3. Whether their Lordships wish to see the fair copy *N* of the judgment?
4. To be circulated to all Benches of the Tribunal? *N*

O.A. No. 272/90

P.G. Mukundan .. Applicant

Vs.

Union of India rep. by Secretary,
Ministry of Communication and others .. Respondents

O.A. No. 276/90

V.K.Varghese .. Applicant

Vs.

Union of India rep. by Secretary,
Ministry of Communication and others .. Respondents

O.A. No. 273/90

P.P. Thomas .. Applicant

Vs.

Union of India rep. by Secretary
Ministry of Communication and others .. Respondents

Counsel for the applicants in
all the cases .. M/s MR Rajendran Nair &
PV Asha

Counsel for the respondents
1 to 3 in OA 272/90 & 273/90
and all respondents in O.A. 276/90 .. Mr. TPM Ibrahim Khan.

O R D E R
(Hon'ble Shri S.P.Mukerji, Vice Chairman)

Since common questions of facts, law and relief
are involved in the aforesaid three applications O.A. 272/90,
O.A. 273/90 and O.A. 276/90 they have been heard together and are

disposed of by a common order as follows.

2. In so far as the applicant Shri P.G.Mukundan in O.A.272/90 is concerned, the learned counsel for the respondents Shri Ibrahim Khan stated that because of the applicant's impending retirement, the respondents have since agreed to retain him at Cochin. Accordingly, this application is closed as infructuous.

3. As regards Shri V.K.Varghese, applicant in O.A.276/90, the learned counsel for the respondents Shri Ibrahim Khan indicated that if Shri Varghese represents, the respondents will be prepared to accommodate him at Kottayam. Accordingly we close this application with the direction to the applicant to submit a representation, if so advised, within one week from today to the respondents for transfer to Kottayam and the respondents are directed to dispose of the representation within a period of one month from the date of receipt of the same, in accordance with law.

4. As regards Shri P.P.Thomas, applicant in O.A. 273/90, he was transferred to Kottayam but has been retained at Ernakulam under the interim orders of the Tribunal. The learned counsel for the respondents, however, indicated that there are other persons senior to him who have a better claim to be posted at Ernakulam because of the higher rate of HRA admissible at Ernakulam. However, Shri Ibrahim Khan, learned

counsel for respondents fairly indicated that the respondents will be prepared to consider the posting of Shri Thomas to a more congenial place in case he represents. Accordingly we close this application also with the direction that the applicant, if so advised, should file a representation for a favourable posting within one week from today and the respondents should consider the representation sympathetically and pass orders within a period of one month from the date of receipt of the representation. There will be no order as to costs.

5. A copy of this order may be placed in all the three files.

N.Dharmadan 8.8.90
(N.Dharmadan)
Judicial Member

S.P.Mukerji 8.8.90
(S.P.Mukerji)
Vice Chairman

08.08.1990

Ksn.