

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.276/2001.

Monday, this the 23rd day of April, 2001.

CORAM:

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

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

N.Sasidharan Nair,  
Lower Division Clerk,  
Employees Provident Fund  
Organisation, Sub Regional Office,  
Kottayam. Applicant

(By Advocate Ms. Saro A.)

Vs.

1. The Central Provident Fund  
Commissioner, The Employees  
Provident Fund Organisation,  
Central Office,  
Bhavishyanidhi Bhavan,  
Hudco Vishala-14,  
Bikaji Kama Place,  
New Delhi-110066.
2. The Regional Provident Fund  
Commissioner, Kerala, Pattom,  
Thiruvananthapuram-4.
3. The Regional Provident Fund  
Commissioner, Sub Regional Office,  
Kottayam. Respondents

(By Advocate Shri N.N.Sugunapalan)

The application having been heard on 23.4.2001, the Tribunal  
on the same day delivered the following:

O R D E R

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

Shri Sasidharan Nair, the applicant, who is an  
Ex-serviceman, on his own request was transferred from Delhi  
to Trivandrum (his native place), in the year 1996. When the  
Regional office of Trivandrum was bifurcated and an office at

Kottayam was established, apprehending that the applicant would be transferred, he made a request for retention at Trivandrum. However, to his disappointment the impugned orders<sup>A6 dated 27.6.2000/ has been issued on 29.6.2000</sup> transferring the applicant and relieving him from Trivandrum. The applicant has joined at Kottayam. However, alleging that the transfer of the applicant, an Ex-serviceman is arbitrary, the applicant has filed this application challenging the impugned orders.

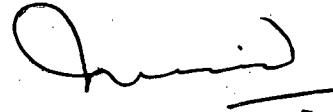
2. The applicant had made A-9 representation to the 2nd respondent on 19.9.2000 requesting for re-transfer to Trivandrum.

3. When the application came up for admission, learned counsel for the applicant stated that the applicant would be satisfied if the applicant is allowed to make a supplementary representation with supporting documents and the second respondent is directed to consider the representation with due sympathy and to give the applicant an appropriate order. The learned counsel of the respondents agrees that the application may be disposed of with appropriate direction for disposal of the representation.

4. In the light of what is stated above, we dispose of this application permitting the applicant to make a supplementary representation with supporting documents to the 2nd respondent and directing the 2nd respondent to consider

the representation (A9) and the supplementary representation taking into consideration that the applicant is an Ex-serviceman and a sickly person as also the vacancy position and other relevant facts and circumstances and instructions on the subject and to give the applicant a speaking order within a period of two months from the date of receipt of the supplementary representation. No costs.

Dated the 23rd day of April 2001.



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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List of Annexures referred to in the order:

- A6: True copy of the Office Order No.205/2000 in letter No.KR/Admn.I(1)/SRO-KTM/2000 dated 27.6.2000 issued by the second respondent to the 1st applicant.
- A7: True copy of the Office Order No.211/2000 in letter No.KR/Admn.I(1)/SRO-KTM 2000 dated 27.6.2000 issued by the 2nd respondent to the 2nd applicant.
- A9: True copy of the representation dated 19th September 2000 by the 1st applicant to the 2nd respondent.