

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 339 of 2004

Wednesday, this the 5th day of May, 2004

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. P.P. Unnikrishnan,
Assistant,
Regional Passport Office,
Kochi (on order of transfer)Applicant

[By Advocate Mr. C.S. Ajith Prakash]

Versus

1. Union of India, represented by its Secretary,
Ministry of External Affairs, New Delhi.
2. Transfer Board represented by its Chairman,
Office of the Chief Passport Officer,
Ministry of External Affairs,
Patiala House, Tilak Marg, New Delhi.
3. Joint Secretary (CPV) and Chief Passport Officer,
Ministry of External Affairs, Patiala House,
Tilak Marg, New Delhi.
4. Regional Passport Officer,
Office of the Regional Passport Officer,
Panampilly Nagar, Kochi - 36
5. Regional Passport Officer,
Office of the Regional Passport Officer,
Trichy.Respondents

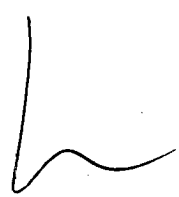
[By Advocate Mr. C. Rajendran, SCGSC]

The application having been heard on 5-5-2004, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant presently working as Assistant in the
Regional Passport Office, Cochin has been transferred to
Regional Passport Office, Trichy vide Annexure A-VI impugned



order dated 25-3-2004 and directed to be relieved by 7-4-2004.

Aggrieved by the said action on the part of the respondents,

the applicant has filed this OA seeking the following reliefs:-

- "i. to call for the records leading to Annexure A-VI and A-VIII Memorandum and to quash the same to the extent it affects the applicant;
- ii. to issue a direction or order commanding the respondents to retain the applicant at the Regional Passport Office, Cochin or to post him as Assistant at the Passport Office, Thiruvananthapuram; and
- iii. to issue such other direction or order as this Honourable Tribunal may deem fit and proper in the interest of justice."

2. When the matter came up for hearing on admission, learned counsel for the applicant submitted that the applicant has submitted Annexure A-IX representation dated 28-4-2004 to the 3rd respondent, which is not yet disposed of. He submitted that the applicant would be satisfied if the applicant is permitted to make a comprehensive representation to the 2nd respondent within two days and a direction is given to the 2nd respondent to dispose of the same within a time frame. Shri C.Rajendran, learned SCGSC takes notice on behalf of the respondents and submits that he has no objection in adopting such a course of action.

3. In the interest of justice, we permit the applicant to make a representation to the 2nd respondent within two days and direct that on receipt of such representation the 2nd respondent shall consider and dispose of the same by an appropriate speaking order and communicate the same to the applicant within thirty days from the date of receipt of such representation. We direct that the impugned transfer order

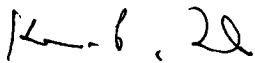


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Annexure A-VI to the extent it relates to the applicant shall be kept in abeyance till the disposal of the representation, if so received.

4. The Original Application is disposed of as above at the admission stage itself. No order as to costs.

Wednesday, this the 5th day of May, 2004



(H.P. DAS)
ADMINISTRATIVE MEMBER



(K.V. SACHIDANANDAN)
JUDICIAL MEMBER

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