

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 368/94

Wednesday, this the 2nd day of March, 1994

SHRI N. DHARMADAN, MEMBER (J)
SHRI PV VENKATAKRISHNAN, MEMBER (A)

K.C.S.Pillai,
Manager Gr.II,
Employees State Insurance Corp.,
Kayamkulam, Alleppey Dist. .. Applicant

By Advocate Shri M.Rajagopalan.

v/s

1. The Director General,
Employees' State Insurance Corp.,
Panchdeep Bhavan, Kotla Road,
New Delhi-2.
2. Regional Director,
ESIC, Panchdeep Bhavan,
Trichur-20.
3. Regional Director,
ESIC, Regional Office,
Lower Parel, Bombay .. Respondents

By Advocate Shri C.S.Rajan, ACGSC.

ORDER

N. DHARMADAN

Applicant, who is working as Manager Gr.II in the ESIC, Kayamkulam at the verge of his retirement, has been transferred to Bombay as per Annexure-A1 order. According to him, he did not accept ad-hoc promotions earlier in 1989 and 1991 on account of personal problems. Since he is to retire within a short period, he wishes to continue in the home state. Since he is unable to carry out the promotion-cum-transfer order, under the above circumstances, he submitted Annexure-A4 representation before the first respondent for retaining him in this state. That representation has not been disposed of so far.

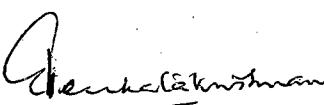
Under these circumstances, he approached this Tribunal for quashing the impugned order promoting and transferring him to Bombay.

2. We have heard the learned counsel for respondents also at the admission stage.

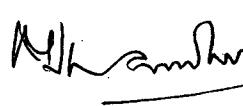
3. Having heard the learned counsel for both parties, we are satisfied that this application can be disposed of without going into the merits of the case particularly when Annexure-A4 representation is pending consideration before the first respondent, who is the competent authority to take a final decision in this matter.

4. Accordingly, we admit the application and dispose of the same, directing the first respondent to consider and pass orders on Annexure-A4 as expeditiously as possible, at any rate within a period of two months from the date of communication of this order. Till he takes a final decision as indicated above, the operation of the impugned order in so far as applicant's transfer to Bombay be kept in abeyance.

5. The application is disposed of as above. There will be no order as to costs.


(P.V. VENKATAKRISHNAN)

MEMBER (A)


(N.DHARMADAN)
2.3.94
MEMBER (J)