

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 368 of 1995

Tuesday, this the 14th day of March, 1995

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR SP BISWAS, ADMINISTRATIVE MEMBER

1. R Sivadasan,
S/o Late Ramanachari,
Carpenter SK (Semi Skilled)
Garrison Engineer, Air Force,
Thirumala PO, Trivandrum-6.
T-69, MES Quarters,
Thirumala PO, Trivandrum-6.

.. Applicant

By Advocate Mr. MR Rajendran Nair

Vs.

1. Commandor, Works Engineer,
Military Engineering Service,
Naval Base, PO, Katari Bag,
Cochin-4.
2. The Garrison Engineer, Air Force,
Thirumala PO, Trivandrum-6.
3. The Chief Engineer,
Military Engineering Service,
Naval Base PO, Cochin-4.
4. Union of India represented by
Secretary to Government,
Ministry of Defence, New Delhi.

.. Respondents

By Advocate Mr. S Radhakrishnam, Additional Central Government
Standing Counsel

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

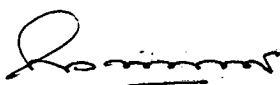
Applicant seeks a declaration that he is entitled to be promoted as 'Carpenter HSII' and posted at Trivandrum. He has been working as a 'Carpenter Semi Skilled' and has now been promoted as 'Carpenter Highly Skilled' (HSII for short). He submits that there are vacancies of 'HSII' at Trivandrum.

2. Applicant has no legal right to get a declaration that he is entitled to be posted at Trivandrum. In the matter of

transfer, there is no legal right and much less any enforceable legal right. But, that is not to say that even transfers can be ordered arbitrarily. A contented service makes better inputs and administrative concerns will not suffer by extending a benefit which can be extended without affecting the needs of administration. If there is a vacancy of 'HSII' at Trivandrum and if there is no good reason for not posting applicant at Trivandrum, there is no reason why he should not be posted there. These are matters for the administrative authority to decide. Applicant has made A-3 representation and that is pending consideration before first respondent. First respondent will examine the representation and pass a speaking order thereon. If however there are reasons for not giving a posting at Trivandrum, first respondent may state those reasons and pass an order on the representation.

3. The Original Application is disposed of as aforesaid. No costs.

Dated the 14th March, 1995



SP BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

List of Annexures

1. Annexure A3: True copy of the representation dated 23.2.1995 submitted by applicant to the 1st respondent.