

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 374 of 1993.

DATE OF DECISION 15-3-1993

P. Vikraman Nair and another Applicant(s)

M/s M R Rajendran Nair Advocate for the Applicant(s)

The General Manager Versus
Telecommunications, Trivandrum Respondent(s)

Mr Joy George, ACGSC Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R Rangarajan, Administrative Member

XXXXXX.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

The two applicants, namely, S/Shri P Vikraman Nair and K Venugopalan Nair working as Telephone Operators in Varkala Telephone Exchange have filed this application praying for a declaration that the applicants are entitled to get transfer under Rule 38 of the Posts & Telegraphs Manual -Vol. IV to Trivandrum City Telephone Exchange on the basis of the request made by them in preference to any body who submitted request to TVII Telephone Exchange for posting subsequent to them. They have represented to this effect before the concerned authorities by their representations dated 3.9.92 (Annexure-II), 3.11.92 (Annexure-V) and 4.2.93 (Annexure VI) respectively. After the above requests, three more promotees have been posted to Trivandrum by order dated

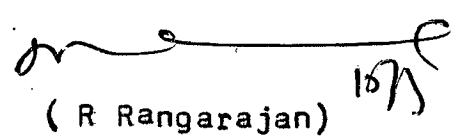
26.2.93 at Annexure-VII.

2 Learned counsel for the applicant submits that these two applicants may be posted in any Telephone Exchanges in Trivandrum City as Telephone Operators on the basis of their seniority recorded in the request register for transfer. He further submitted that the applicants are prepared to wait, if there are no vacancies to accommodate them immediately, but they should be accommodated as per their turn without being superseded ~~fresh~~ by any body either from outside or ~~promotees or~~ appointments.

3 Learned counsel for the respondents submitted that he has no objection to consider their request strictly on their turn to accommodate them in the Trivandrum City Telephone Exchange as Telephone Operators.

4 I have heard the learned counsel for both the parties and perused the records produced before me. I am satisfied that the ends of justice will be made if the two applicants are transferred to the Trivandrum City Telephone Exchange in their turn before posting any body from outside or promoted or filled by freshers. Accordingly, I direct the respondents to consider their request for transfer to post them in any of the Telephone Exchanges at Trivandrum in their turn before posting any body from ~~who have registered for transfer to T.M. Subsequent to them~~ outside or promoted or filled by freshers.

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


(R Rangarajan)
Administrative Member
15-3-93