

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.384 of 1999.

Thursday this the 1st day of April, 1999.

CORAM

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

Dr. Mrs. Reeta Jayasankar,
Scientist (Senior Scale)
Central Marine Fisheries Research Institute,
Narakkal ...Applicant

(By advocate Mr.P.K.Madhusoodhanan)

Vs.

1. The Director,
Central Marine Fisheries Research Institute,
Kochi.14.
2. Dr.M.Devaraj
Director,
Central Marine Fisheries Research Institute,
Headquarters, Kochi.
3. Mr. Samson Manickam,
Officer-in-Charge,
Fisheries Harbour Laboratory of
Central Marine Fisheries Research Institute,
Thoppumpady, Kochi.5.
4. The Director General,
Indian Council of Agricultural Research,
New Delhi.
5. Indian Council of Agricultural Research,
represented by its Secretary,
New Delhi. ...Respondents

(By Advocate Mr. P.Jacob Varghese (for R1,4&5)

The application having been heard on 1.4.99, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant, a Scientist (Senior Scale), Central Marine Fisheries Research Institute, Narakkal has filed this application impugning the order dated 14.01.99 (A6) issued by the first respondent transferring the applicant from Fisheries Harbour Lab. Thoppumpady to the Field Mariculture Centre, Narakkal. Though the applicant has joined

at Narakkal, aggrieved by the action of the first respondent in transferring the applicant alleging that the action was motivated by malafides the applicant made a representation on 27.3.99 to the 4th respondent. Shortly thereafter the applicant has filed this application impugning the A6 order. It has been alleged that the impugned order has been issued out of malafides of the second and third respondents against the applicant.

2. When the application came up for hearing today, learned counsel for the applicant states that the application may be disposed of directing the 4th respondent to consider the representation dated 27.3.99 (A9) after giving the applicant a personal hearing and to pass appropriate orders within a reasonable time. Learned counsel appearing for the respondents 1, 4&5 agreed that such a direction may be given provided the applicant would meet her expenses for the travel for personal hearing. Counsel for the applicant states that the applicant is prepared to meet this expense.

3. In the light of the above submission of the learned counsel on either side and as agreed to by them, the application is disposed of directing the 4th respondent to consider the representation (A9) submitted by the applicant after giving the applicant an opportunity of personal hearing and to give her an appropriate order within a period of

three months from the date of receipt of a copy of this order. I also make it clear that the expenses if any incurred for appearing before the 4th respondent for personal hearing shall be borne by her as undertaken by her counsel. No order as to costs.

Dated the 1st day of April, 1999.



A.V. HARIDASAN
VICE CHAIRMAN

|ks|

List of Annexures referred to in the Order:

Annexure.A6: True copy of the Office Order No. 15-3/99-Adm. dated 14.01.1999 issued by the 1st respondent.

Annexure.A9: True copy of the representation dated 27.3.1999 submitted by the applicant before the 4th respondent.

.....