

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.384/2004.

Friday this the 28th day of May 2004.

CORAM:

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

S.P.Rajamma, W/o K.Ravindran Nair,
Nettoor, Maradu, Ernakulam, working as U.D.Clerk
in quality Assurance Establishment (Naval),
Naval Base, Kochi. Applicant

(By Advocate Shri.P.V.Mohanan)

Vs.

1. Union of India, represented by
the Secretary to Government,
Ministry of Defence, New Delhi.
2. Quality Assurance Officer,
Quality Assurance Establishment (Naval),
Naval Base, Kochi-4.
3. The Director, Director of Quality
Assurance(Naval), West Block No.5,
R.K.Puram, New Delhi-66.
4. P.Ramanikutty, UDC,
CQAE(W.S), Naval Base, Mumbai. Respondents


(By Advocate Mr.M.Rajeev, ACGSC)

The application having been heard on 28.5.2004,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicant, a widow of 56 years working as Upper Division Clerk in the Quality Assurance Establishment (Naval), (QAE(N) for short) Naval Base, Kochi is ordered to be transferred to CQAE(WS), Mumbai by order dated 16.3.2004. Subsequently a Movement Order dated 26.4.2004 was also served on her. Aggrieved by the transfer order the applicant has filed this O.A. seeking the following main reliefs.



- i. To call for the records leading Annexure A1 and A2 and set aside the same in so far as it transfers the applicant from Naval Base, Cochin to Mumbai.
- ii. To direct the respondent No.1 to 3 to retain the applicant as Upper Division Clerk qualify Assurance Establishment(Naval), Naval Base, Cochin.

2. The main ground for challenging the transfer order is that the applicant has been working out of Cochin for over 17 years in her service and now she lost her husband since two months and the only daughter is completely depending on her and therefore, the transfer at this time will put to her great hardship and agony.

3. However, when the matter came up before the Bench, Shri P.V.Mohanan appeared for the applicant and Shri Rajeev, ACGSC appeared for the respondents. Learned counsel for the applicant submitted that the applicant has made a representation dated 5.4.2004 (A4) and reminders A5 and A6 which are not yet disposed of, and the applicant would be satisfied if a limited direction is given to the respondents to consider and dispose of the representation within a time frame.

4. Learned counsel for the respondents has no objection in adopting such a course of action.

5. In the interests of justice, this Court is of the view that, if a limited direction is given to the respondents, it will meet the ends of justice.

6. Therefore, this Court directs the 3rd respondent to dispose of the representation (A4), pass appropriate orders and



communicate the same to the applicant within a time frame of two months from the date of receipt of a copy of this order. It is made clear that till the orders are being passed by the respondents the impugned orders A-1 and A-2 shall be kept in abeyance.

7. This Court also directs the applicant to sent a copy of the representation and a copy of this order to the 3rd respondent at the earliest.

8. The O.A. is disposed of at the admission stage itself. In the circumstance, no order as to costs.

Dated the 28th May 2004.

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line extending to the right.

K.V.SACHIDANANDAN
JUDICIAL MEMBER