

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 394/90

XXXXXX

199

DATE OF DECISION 12.8.91

PC Kumar

Applicant (s)

Mr K Krishnankutty Menon

Advocate for the Applicant (s)

Versus

Director General, Doordarshan
New Delhi and others. Respondent (s)

Mr NN Sugunapalan, SCGSC

Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. N Dharmanandan, Judicial Member

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

Mr NV Krishnan, A.M

The applicant is employed as Transmission Executive in the Doordarshan Kendra, Thiruvanthapuram, Respondent-3.

2 The applicant came to know that he was being transferred to Bombay in the same capacity, though the order of transfer had not been served on him. He then approached this Tribunal for a direction to the respondents to allow him to continue at Thiruvanthapuram and to quash the proposed order of transfer to Bombay.

3 When the application was admitted, an interim direction was given to the respondents to maintain the status quo.

4 The respondents have filed a reply. It is submitted by them that the order of transfer to Bombay was in any case,

intended to be only for a temporary period of six months, which was necessitated because of the fact that the programme generating facility centre at Panaji, Goa was to be inaugurated in June, 1990. In this context the applicant was also to be transferred.

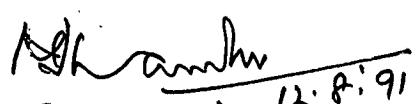
5 Now that the period of six months mentioned in the reply has since elapsed a long back, it would not be difficult for the respondents to cancel the order of transfer. However, they have stated in the reply that if the applicant had any problem even in respect of a temporary transfer for a short period, he would have made a representation to the respondents.

6 As a matter of fact, the representations dated 10.5.90 of the applicant submitted to the Respondent-1, is still pending disposal.

7 In this circumstance, we do not wish to pass any final order quashing the proposed transfer. We would like to leave this matter for consideration by the respondents on the basis of the representation at Annexure-B as well as their own submissions in the reply affidavit.

8 We, therefore, dispose of this application with the directions to Respondent-1 to consider the Annexure-B representation that has been filed before him by the applicant, in the light of the submissions made in the reply affidavit, within a period of one month from the date of receipt of a copy of this order.

9 There will be no order as to costs.


12.8.91
(N Dharmadan)
Judicial Member


12.8.91
(NV Krishnan)
Administrative Member