

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.396/2002

OA.No.396/2002.

Friday, this the 7th day of June, 2002.

CORAM;

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

K.V.Sujaya,
Assistant,
Regional Passport Office,
Cochin.

- Applicant

By Advocate Mr Shafik.M.A.

Vs

1. Union of India represented by
Secretary to Government of India,
Ministry of External Affairs,
New Delhi.
2. The Chief Passport Officer &
Joint Secretary(CPV),
Ministry of External Affairs,
New Delhi.
3. The Regional Passport Officer,
Regional Passport Office,
Cochin.

- Respondents

By Advocate Mr Prasanthkumar, ACGSC

The application having been heard on 7.6.2002 the Tribunal on the same day delivered the following:

O R D E R

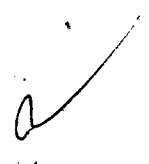
HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicant who is working as an Assistant, in the Regional Passport Office, Cochin, is a physically handicapped, being partially blind. Her grievance is that by A-1 order, she has been directed to report to Regional Passport Office, Ahmedabad for temporary duty, that by order dated 22.5.2002

(A-2), she has been relieved of her duties with effect from 22.5.2002 with a direction to report at Ahmedabad on 27.5.2002, and that by an order dated 28.5.2002 she has been threatened with disciplinary action, unless she immediately give effect to the A-1 order. It is alleged in the application that the applicant's state of health does not permit her to give effect to the orders of temporary deployment and prayed for quashing A-1, A-2 and A-8 orders declaring that she is entitled to continue as Assistant in the Regional Passport Office, Cochin and for a direction to the 2nd respondent to consider and dispose of A-6 representation.


2. When the matter came up for hearing on admission, Shri R Prasanthkumar, ACGSC took notice on behalf of the respondents. Learned counsel for the applicant stated that the applicant may be permitted to make a supplementary representation supplementing A-6, enclosing medical certificates and the 2nd respondent may be directed to dispose of the same keeping the operation of the impugned orders A-1 and A-2 in abeyance till the representation is considered and disposed of by the 2nd respondent. Learned counsel for the respondents have no objection in the matter being disposed of in that manner.


3. In the light of the above submission made by the learned counsel on either side, and in the interest of justice, the application is disposed of permitting the



applicant to make a representation supplementing A-6 enclosing medical certificates within one week from today and directing the 2nd respondent that if such a representation is received, the same shall be considered in the light of the physical condition of the applicant and other relevant facts and that an appropriate reply be given to the applicant within three weeks on receipt of the representation. We further direct that till an order on that representation is served on the applicant, the operation of A-1 and A-2 orders to the extent it affect the applicant shall be kept in abeyance. There is no order as to costs.

Dated, the 7th June, 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER
trs.


A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the DM No.V.IV/560/1/2002(Part) dated 17.5.2002 issued on behalf of the 2nd respondent.
2. A-2 : True copy of the Memorandum No.CHN/551/8/2000 dated 22.5.2002 issued by the 3rd respondent.
3. A-3 : True copy of the Medical certificate issued by the Doctor, Indira Gandhi Co-operative Hospital, Ernakulam dated 4.1.2001.
4. A-4 : True copy of the Medical certificate issued by the Doctor, Govt. Hospital, Karuvelipady dated 22.5.2002.
5. A-5 : True copy of the order F.No.V.IV 560/1/2001 (Part) dated 9.5.2002 issued on behalf of the 2nd respondent.
6. A-6 : True copy of the representation dated 21.5.2002 submitted before the 2nd respondent.
7. A-7 : True copy of the station wise seniority list of Group 'C' Officials of Regional Passport Office, Cochin.
8. A-8 : True copy of the Memorandum No.CHN/551/8/2000 dated 28.5.2002 issued by the 3rd respondent.

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