

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.400/2001

Friday, this the 27th day of April, 2001.

CORAM:

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

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

S.Soubhagya Kumari,
Senior Telecom Office Assistant,
O/o Sub Divisional Engineer(Phones),
Harippad. - Applicant

By Advocate Mr SR Manoj

Vs

1. General Manager,
Telecom Department(BSNL),
Alappuzha.
2. Senior Divisional Engineer Telecom
(BSNL), Harippad.
3. Divisional Engineer, Telecom,
(BSNL), Harippad.
4. Chief General Manager,
Telecom, BSNL,
Kerala Circle,
Trivandrum.
5. Union of India represented by
Secretary to Government,
Ministry of Communication,
New Delhi. - Respondents

By Advocate Mr PJ Philip, ACGSC

The application having been heard on 27.4.2001, 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 a Senior Telecom Office Assistant on temporary transfer to Harippad and about to be re-transferred to Alappuzha, made a representation for a

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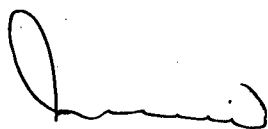
regular transfer to Harippad. In reply to the above representation, by the impugned order dated 30.3.2001(A-9), she has been told that at the moment there is no vacancy and her transfer to Harippad on a regular basis would be considered as and when a vacancy would arise. In reply to what is stated in her representation about the transfer of Smt Padmakumari, who was junior in point of registration for transfer, it has been stated that the transfer of Smt Padmakumari was on the basis of an order of this Tribunal. The applicant is aggrieved by the impugned order and has filed this application seeking to set aside A-9 order and for a direction to the respondents to consider regular transfer of the applicant to Harippad.

2. We have considered the application and the material available on record and have heard the learned counsel of the applicant. An employee does not have a vested right to seek a posting to a particular station. The applicant cannot raise a grievance about the transfer of Smt Padmakumari which happened nearly six years back. If she had a case that the transfer of Smt Padmakumari was against the rules and to her detriment, she should have challenged that and sought appropriate relief at the appropriate time. There is no case for the applicant that there is any open vacancy at Harippad on which she can be accommodated. Under these circumstances, the impugned order of the respondents stating that the applicant's request for a transfer to Harippad at the moment cannot be acceded to, for want of vacancy and that she would be considered for a transfer as and when a vacancy would arise, cannot be faulted.



3. In the result, the application is disposed of observing that the respondents shall consider the transfer of the applicant when a vacancy would arise at Harippad. No costs.

Dated, the 27th of April, 2001.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

trs

A9: True copy of Ist respondent's order No.LCIV/OA-247/2001/3
dated 30.3.2001.