

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH
XXEXWXXEXEXXXO.A. No. 514 of 1987
XXXMS.

DATE OF DECISION 6.10.1987

S. Parameswaran

Petitioner

Advocate for the Petitioner(s)

Versus

The Chairman, National Airport
Authority, New Delhi

Respondent

S.R.ATRE

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. P. Srinivasan, Member (A)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal? No

P. Srinivasan

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

D.A. No.514/87

S. Parameswaren,
Communication Assistant,
Aeronautical Communication Station,
National Airport Authority,
Bombay Airport, Bombay-400 099.

Applicant

v/s

The Chairman,
National Airport Authority,
Block II(East), R.K.Puram,
New Delhi-110 066.

Respondent

Coram : Hon'ble Member (A) Shri P. Srinivasan

Appearance:

Applicant in person

Shri S.R.Atre, Advocate for the Respondents

ORAL JUDGMENT:

Dated : 6.10.1987

This application has come up for admission before me today.

2. The applicant appeared in person. Shri S.R.Atre, Advocate for Shri P.M. Pradhan, learned counsel for the Respondent present. The application is admitted and with the consent of both parties the matter is also heard on merits today itself.

3. The grievance of the applicant is against his transfer from Bombay to Porbunder on ad hoc promotion to the post of Assistant Communication Officer (ACO) by order dated 29.4.1987 (page 15 of the application). The applicant is working as Communication Assistant (CA) in the National Airports Authority (NAA) at Bombay. He submits that he has only a little over two years of service left since he is due to retire on 31st May 1990, that he is suffering from a heart ailment and is undergoing treatment at Bombay and that,

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therefore, he should be allowed to continue in Bombay in a post of ACO. He also submits that there is a post of ACO available in Bombay in which he can be accommodated.

4. Shri Atre for the Respondents contends that the applicant has already worked for more than 15 years in Bombay and according to the policy of the Respondents he had to be transferred. Moreover he has been given ad hoc promotion and on ad hoc promotion he cannot choose the place of posting.

5. I have considered the matter carefully. The Tribunal is loath to interfere with routine administrative decisions like transfers. There is no specific allegation of mala fides against any person in the application. On the other hand, the Respondent's case is that the applicant is in Bombay for over 15 years and is due for transfer. In these circumstances I do not think that this is a fit case for interference by this Tribunal. However, having said so much, I must also observe that this case appears to be one deserving the sympathy of the Respondent in the exercise of his administrative discretion. It seems that there is nothing against the applicant and that he is being transferred only because he has completed 15 years of service at Bombay. Since he has only a little more than two years of service and since he has a health problem, the Respondent could certainly take these factors into consideration and accommodate him in Bombay on promotion.

6. With these observations, the application is dismissed. Parties to bear their own costs.

P. Srinivasan
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(P. SRINIVASAN)
Member (A)