

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 13/8/87

APPLICATION NO 559 /87(F)

W.P. NO

Applicant

Shankar Hasyagar

V/s The Director General (SEA-Section),
Dept of Telecommunication & 2 Ors

To

1. Shri Shankar Hasyagar
Junior Accounts Officer
Office of the Chief Pay & Accounts
Officer (I.T.I. Bills)
Telecom Department
Bangalore - 560 016
2. Shri M. Narayanaswamy
Advocate
No. 844 (Upstairs)
V Block, Rajajinagar
Bangalore - 560 010

3. The Director General (SEA-Section)
Department of Telecommunications
Sanchar Bhavan, No. 20, Ashoka Road
New Delhi - 110 001
4. The Chief Pay & Accounts Officer
I.T.I. Bills, Department of Telecom,
Bangalore - 560 016
5. The General Manager (Telecom)
Gujarat Telecom Circle
Navarangapura, Ahmedabad - 380 009
6. Shri M. Vasudeva Rao
Central Govt. Stng Counsel, High Court
Buildings,
B'lore - 1

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/
~~INTERIM ORDER~~ passed by this Tribunal in the above said
application on 30-7-87.

RECEIVED
14/8/87

Encl : as above

B.V. Venkatesh Reddy
DEPUTY REGISTRAR
~~SECTION OFFICER~~
(JUDICIAL)

o/c

DATED THIS THE 30TH JULY, 1987

Member (J)

Member (A)

APPLICATION NO. 559/87(F)

Applicant

(Sri M. Narayanaswamy.... Advocate)

Vs.

1. The Director-General (SEA-Section),
Department of Telecommunication,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-1.
2. The Chief Pay & Accounts Officer,
I.T.I. Bills, Department of
Telecom, Bangalore-16.
3. The General Manager (Telecom),
Gujarat Telecom Circle,
Navarangapura, Ahmedabad- 380 009

Respondents

(Sri M.V. Rao..... Advocate)

This application has come up for hearing before this Tribunal to-day, Hon'ble Member (J) made the following :

O R D E R

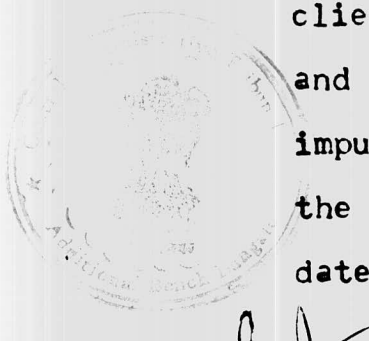
In this application filed under Section 19 of the Administrative Tribunals Act 1985 the applicant who is working as Junior Accounts Officer in the Department of Telecommunications, Bangalore, has challenged order dated 23/24.6.1987 transferring him from Bangalore to the Gujarat Telecommunication



Circle. He wants us to quash the said order appearing at Annexure E.

2. Shri M.Narayanaswamy, learned counsel for the applicant and Shri M.V. Rao for Shri M.S. Padmarajaiah for the Respondents have been heard.

3. It is common ground that the applicant has been working at Bangalore for 11 years and that under the normal guidelines for transfer he is due for transfer. However, it was urged by Shri Narayanaswamy that the applicant's wife is pregnant and is due for confinement at the end of October 1987. Her earlier delivery was a Caesarian delivery and he apprehends that the present delivery may also involve complications and ~~that~~, therefore, the applicant's presence in Bangalore is essential for some more time. A copy of report of examination report prepared by the CGHS Doctor at Bangalore has been filed as an Annexure in this connection. On behalf of the respondents it was contended that the transfer of the applicant is a routine administrative matter with which this Tribunal should not interfere. We are also of the view that normally we should not interfere with routine transfers since transfer is an incident of Government service. However, in view of the special circumstances of this case, namely the state of health of the applicant's wife we suggested to Shri Narayanaswamy that if his client undertakes to hand over charge on 31.12.1987 and proceed to Gujarat circle in compliance with the impugned transfer order we would issue direction to the Respondents to postpone the transfer till that date. Shri Narayanaswamy files a Memo by which



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his client has undertaken to get himself relieved on the afternoon of 31.12.1987 to proceed to join Gujarat Circle. We feel that it would meet the ends of justice if the respondents postpone implementation of impugned transfer order till 31.12.1987. We, therefore, direct the respondents to do so.



4. In the result the application is disposed of with the directions given above. Parties to bear their own costs.

Sd _____

Member (J)

Sd _____

Member (A)

sb.

'True copy'

B. V. Venkatesh Reddy
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE
13/8