

Sh. V. R. S. Adv. By
 (Sh. M. Thacker Adv.)
 m

OA 77190

Telephone
 (Sh. R. C. Kotiankar Adv.)

7	1	8-2-90	PT
		20-2-90	TO
		15-3-90	PT
		26-3-90	PT
	2	9-4-90	TO
	3-4	23-4-90	
	5	21-8-90	TO

to Indu disposed of

TO

Index is enclosed her

7

~~8-2-90~~

Scrutiny Sheet OK

Notice issued to Repd to for AH.

Copy of order dt 23-4-90 issued to parties

Copy of order dt 21-8-90 issued to parties

1-2	8-2-90
3-4	22-2-90
5	13-7-90
6	30-8-90

A
 26/11

8. Applicants representation dated 3.1.90
addressed to (C.M. MTNL reminder ~~the~~
to her representation dated 15.11.89.

18

W. J. J. J. (Y.R. SALVI)
8-2-90
Signature of the applicant.

New Bombay

For use in Tribunal's Office

Date of filing _____

Registration No. _____

Central Administrative Tribunal, New Bombay Bench	
Received application on	8/2/90
Stamp No.	80/90
4 sets	For Registrar

① CP. 22/90

Signature
for Registrar

Part II

DD removed for Rs 50/-

884

APPENDIX 'A'

"FORM-I"

(See rule 4)

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985.

Title of the case:-

TRANSFER CASE OF Kum. Y.R. Salvi, Junior Supervisor (R)
Staff No.3644 now working at Turbhe, under DMT, New Bombay.

I N D E X

page

1. Application 1
2. Letter no.DMT/AEA/E-8/88-89 dated 1.7.89 of D.M.T. New Bombay transfer order from Panvel to Turbhe. 8
3. Representation of the applicant dated 12.7.89 addressed to the District Manager Telephones, New Bombay to Cancel the above Transfer Order. 9
4. Letter no.DMT/PF/3644/89-90 dt.22.7.89 regretting the request for cancellation of Transfer Order. 14
5. Applicants representation dated 16.8.89 to the General Manager (A) MTNL Bombay requesting for cancellation of the Transfer Order. 15
6. Applicants representation dated 28.9.89 addressed to Sri P.D. Garg GM(A) for posting her back to Panvel. 16 & 17
7. Applicants representation dt.15.11.89 addressed to Sri. D.N. Nanda, Chief General Manager, MTNL Bombay for posting her back to Panvel

SB.

Office Notes, Office
Memorandum, of Coram
Appearance, Tribunal's
orders of direction &
Registrar's Orders

Tribunal's orders

(1)

Stamp No. 80/90

Per Tribunal

fixed for Admission hearing
on 20/2/90

noted M.
V. J. 8.2.90

V. J. 8/2
By Reg.

Dated: 20.2.90.

Heard the applicant in
person.

Issue notice to the respondents

Notice was issued returnable on 15.3.90 for admission
to the Resp. on hearing.

22.2.90

22.2.90

W. J.
(M. Y. P. P. / Kar)
M(A)

Notice dt. 22/2/90
served on R. No. 2
on 20/2/90.

8/3/90

15/3/90
Mr. Kotiankar
By consent
26/3/90
Admission hearing

8/3/90

26/3/90

Mr. N. Shivar

Date
noted
W. J. 26/3

By consent
9th April 1990
Admission hearing

26/3/90

Dated: 9/4/90:

(2)

Applicant in person.

Shri R.C. Kotankar for the Respondents.
At the request of the learned Amicus
for Respondents let this matter
come up before the Bench after
two weeks i.e. on 23/4/1990.

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W
his

Tribunal's Order:

The applicant, a Junior Supervisor in the Turbhe Trunk Exchange, has filed this application challenging the order of transfer dated 1-7-1989 of the first respondent, transferring her from Panvel to Turbhe. While the applicant was working in the Turbhe Trunk Exchange, she fell ill and therefore she applied for transfer to Panvel on compassionate grounds. She was transferred to Panvel by an order dated 30-4-1986 pursuant to her request. On 6-7-1988 she was promoted and transferred but she declined her promotion on health grounds and requested for her retention at Panvel. Her request was accepted by the respondents on 12-9-1988. She thus continued in Panvel. While so, the applicant was transferred on 1-7-1989 from Panvel to Turbhe Trunk Exchange. The applicant has challenged this order of transfer on various grounds. She made a representation on 12-7-1989 ^{to the District Manager} but the Divisional Engineer, who is a subordinate authority, had rejected it on 22-7-89. Later on she made a representation to the Chief General Manager, Mahanagar Telephone Nigam Ltd., on 15-11-1989 and again on 3-1-1990. It now transpires that orders on her representations have not been passed by the authorities. Therefore, in the interests of justice, we direct the 2nd respondent to dispose of her representations dated 15-11-1989 and 3-1-1990 for transferring her back to Panvel, on merits, within a period of two months from the date of receipt of a copy of this order. We also direct the 2nd respondent

(4)

to take into account the applicant's physical condition and the fact that she had waived her promotion, while deciding her representations on merits. The counsel appearing for the applicant also submitted that if the order of transfer is cancelled and the applicant is posted back to Panvel, she will forgo the allowance of Rs.30/- which the regular Junior Supervisors attached to the post are getting. We make it clear that the 2nd respondent should consider these factors and pass orders on her representations, as stated earlier, within a period of two months from the date of receipt of a copy of this order. The applicant is at liberty to approach this Tribunal in case orders are passed turning down her representations.

Ordered accordingly.

N.R. Chandran

(N.R.CHANDRAN)
JUDL. MEMBER

M.Y. Priolkar

(M.Y. PRIYOLKAR)
ADMV. MEMBER

23-4-1990

Order dt. 23.4.90

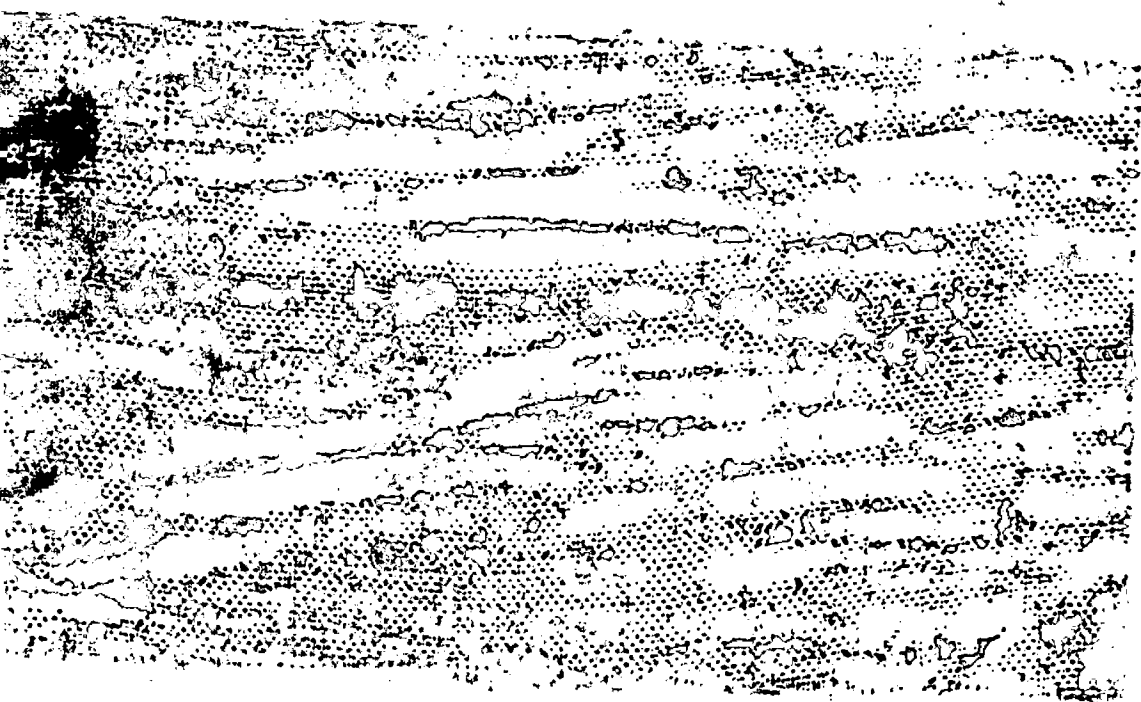
Send to parties

on 13.7.90.

JS

Order dt. 23.4.90
Served on Applicant
R.No.2 on dt. 23.7.90

MS
25/7/90



Dated: 21.8.90

(5)

C.P. No. 22/90,
fixed on 21/8/90.

31/8/90

Shri M.T. Thacker, Advocate,
appears for the applicant and
prays for withdrawal of the
Contempt Petition. The prayer
is allowed. The petition is
dismissed as withdrawn.

(Kamleshwar Nath) (B.C. Mathur)
V/c V/c

Order dt. 21.8.90
issued to either
sides on 30.8.90

By

Order dt. 21.8.90
served on applicant,
on 5-9-90, R. no. 2
on dtd. nil & R. 2 on
dtd. 7-9-90.

18/9