

Sh. V. R. S. Attri, by
C. Gh. M. Thacker, Adv.
m

BAFF190

Telephones
Cm - R.C. Katiarkar, Adv.

1 8-2-90 PT
20-2-90 TO
15-3-90 PY
26-3-90 PT
2 9-4-90 TO
3-4 23-4-90 to 1 judi disposed of
5 21-8-90 TO

8-2-90

II 1-2 8-2-90
3-4 22-2-90
5 15-7-90
6 30-8-90

Scouting Sheet 80K
Notice issued to Ropar for AH.
copy 8 order d/w. 23-4-90 issued to
parties
copy 6 order d/w. 21-8-90 issued
to parties

Aug
26/11

.. 2 ..

8. Applicants representation dated 3.1.90
addressed to G.M. MTNL reminder ~~the~~ 18
to her representation dated 15.11.89.

New Bombay

Y.R. SALVI 8.2.90
Signature of the applicant.

For use in Tribunal's Office

Date of filing

Registration No.

① CP. 22190

Central Administrative Tribunal, New Bombay Bench
Received in on 8.2.90
Stamp No 80190
4 sets
For Registrar

Signature
for Registrar

Part II

DD reserved for Rs 5/-

88/-

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 <i>Salvi</i> requesting for cancellation of the Transfer Order.	
6. Applicants representation dated 28.9.89 addressed to Sri P.D. Garg GM(A) for posting her back to Panvel.	15
7. Applicants representation dt.15.11.89 addressed to Sri. D.N. Nanda, Chief General Manager, MTNL Bombay for posting her back to Panvel	16 & 17

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 Admision hearing
on 20/2/90

Notified M.
M. K. Kotiankan
8.2.90

8/2
by Reg.

Dated: 20.2.90.

Heard the applicant in
person.

Issue notice to the respondents
notices are issued returnable on 15.3.90 for admission
to the resp. on hearing.
22-2-90

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

6/3/90

by
(M.Y. Patolkar)
M(A)

15/3/90

Mr. Kotiankan
by consent
26/3/90
Admission hearing

SSM

26/3/90

Date
M. K. Kotiankan
By consent
9th April 1990
Admission hearing

SSM
26/3/90

Dated: 9/4/90:

(2)

Applicant in person.
Shri R.C. Kotiankar for the Respondents.
At the request of the learned Counsel
for Respondents, let this matter
come up before the Bench after
two weeks i.e. on 23/4/1990.

Xerox

W.H.

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 Divisional 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

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. Priyolkar
(M.Y. PRIYOLKAR)
ADMV. MEMBER

23-4-1990

Order dtd. 23.4.90

Send to parties

on 13.7.90.

Atlabal

Order dtd. 23.4.90
Served on Applicatd
R.No.2 on dtd. 23.7.90

*MS
25/7/90*

Dated: 21.8.90

(S)

C.P. No. 22190,
fixed on 21/8/90.

21/8/90

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 dtd: 21.8.90
issued to either
sides on 30.8.90

Ex

Order dtd: 21.8.90
served on applicant,
on 5-9-90, R.m. 2
on add. ml & R-2 on
dtd: 7-9-90.

M/1819.