

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 449/91
~~TELEXXNO~~

198

DATE OF DECISION 18.11.1991Ramkrishna P.Hivarkar PetitionerMr. Sudhir Malode Advocate for the Petitioner(s)

Versus

Telecom District Manager, Nagpur RespondentMr. Ramesh Darda Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice U.C.Srivastava, V/C

The Hon'ble Mr. M.Y.Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement ? ✓
4. Whether it needs to be circulated to other Benches of the Tribunal ? ✓


 (U.C. Srivastava)
 V/C

(6)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY
CAMP AT NAGPUR
* * * * *

Original Application No.449/91

Ramkrishna P. Hivarkar,
Junior Telecom Officer Cables (M),
C.T.O. Compound, Nagpur. ... Applicant

V/s

Telecom District Manager,
Nagpur. ... Respondent

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C.Srivastava
Hon'ble Member (A), Shri M.Y.Priolkar

Appearances:

Mr. Sudhir Malode, Advocate
for the applicant and
Mr. Ramesh Darda, Advocate
for the respondent.

ORAL JUDGEMENT: Dated : 18.11.1991
(Per. U.C.Srivastava, Vice-Chairman)

As a short question is involved in this case,
the case is being disposed of finally after hearing
counsel of the parties.

2. This application is directed against transfer
order. The applicant is a member of Scheduled Caste
community and has been working as Junior Telecom Officer
since the year 1984 at Nagpur has been transferred vide
order dated 31.5.1991 from Nagpur to Saoner. The
applicant made certain efforts against the transfer
and failing to get any success has approached the
Tribunal. The contention on behalf of the applicant
is that the guidelines made by the Central Government
in the matter of transfer itself has not been followed
and even though 14 posts are lying vacant and yet the
applicant has been shifted and the Junior Telecom
Officers working in Nagpur who have a longer stay than
the applicant and who should have been transferred has
not been transferred. During the course of oral argu-

(7)

ments learned counsel for the applicant stated that the applicant is on leave as he had a mild heart attack and he was hospitalised. The transfer orders are passed in the exigencies of service and we do not propose to interfere in the transfer order more so when the representation of the applicant is pending. The respondents are directed to dispose of the representation filed by the applicant taking into consideration the pleas raised by him including that the in the station officials with longest stay/have not been transferred and the guidelines have not been followed. With these observations the application stands disposed of finally with no order as to costs.

Y

U

(M.Y.Priolkar)
Member(A)

(U.C.Srivastava)
Vice-Chairman

v/-

THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH,
BO: BAY

M.P. No. 321/92
R.P. No. 71/92

in

O.A. No. 449/91

Ramakrishna P. Hiwarkar, ... Applicant.

vs.

Telecom District Manager, ... Respondent
Nagpur

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. M.Y. Priolkar, I.A.

11/6/92

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

This is a belated review application directed against our judgement order dated 18.11.91 by the applicant himself. The ground shown by him that he was ~~will~~ ^{carry out}. The judgement was delivered in open Court on 18.1.91 and the certificate filed by him indicates period from absence from duty viz. 4 weeks time w.e.f. 15.2.92 was absolutely necessary. No explanation for earlier period is given. The review application ^{is} dismissed on this ground of delay. Even otherwise no case for the review has been made out. The applicant was directed again to transfer ~~the~~ order. We find in our judgement that the transfer orders are passed in emergencies of service and we do not propose to interfere with the same. We allowed the applicant to have any order from the Deptt. in this behalf, despite dismissal of his application. No ground whatsoever for recalling our judgement exists. The review application without any substance is rejected.

Member (A)

Vice-Chairman