

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560038.

Dated: 30 SEP 1993

APPLICATION NO(S) 780 of 1993.

APPLICANTS: Dattatraya Hegde

RESPONDENTS: Chief General Manager,
Telecom, Bangalore & Others.

TO.

1. Sri. Rajanikant Kulkarni,
Advocate, No. 111, Fifth Block,
70th Cross, Near Parents School,
Rajajinagar, Bangalore-560 010.
2. The Chief General Manager,
Karnataka Circle, No. 1,
Old Madras Road, Ulsoor,
Bangalore-560 008.
3. The Director,
Mangalore Telecom Area,
Mangalore,
4. Telecom District Engineer,
Madikere, Coorg Dist.
5. District Engineer,
Telecom, Shimoga.
6. Sri. M. S. Padmarajaiah,
C.G.S.C., High Court Bldg,
Bangalore-1.

Subject:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the
above said application(s) on 23rd September, 1993.

n. [Signature]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

30/9/93

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 23RD DAY OF SEPTEMBER, 1993.

PRESENT:

Hon'ble Mr. Justice P.K. Shyamsundar,

.. Vice-Chairman.

APPLICATION NUMBER 780 OF 1993

Dattatraya Hegde,
S/o Mahabaleshwar Hegde,
Aged about 36 years,
Occ: T.O.A., T.D.E. (Telecom
District Engineer), R/at No.11-B,
180-1, Shivaprasad New Extension,
Madikeri-571 201.

.. Applicant.

(By Sri Rajanikant Kulkarni, Advocate)

v.

1. Chief General Manager,
Telecom Bangalore, Karnataka Circle,
Bangalore.
2. Director Telecom,
Mangalore Area, Mangalore.
3. Telecom District Engineer,
Madikere.
4. Telecom District Engineer,
Shimoga.

.. Respondents.

(By Sri M.S. Padmarajaiah, Standing Counsel)

This application having come up for admission to-day, Tribunal made the following:-

ORDER

I have heard Mr. Rajanikant Kulkarni, learned counsel for the applicant and upon noticing the controversy herein related to the applicant's grievance touching a transfer he had sought for from Madikere Town to any place in Shimoga District, I asked Sri M.S. Padmarajaiah, learned Central Government Standing Counsel to take notice and pointed out to him that in connection with the proposal mooted by the applicant for transfer he had made as many as seven representations starting from 16-8-1991 ending



with the latest one on 1-9-1993 and to all those representations the department has maintained a sphinx like silence. Learned counsel points out that the motivation for seeking transfer from Madikere to Shimoga is that the applicant's wife is working as a School Teacher at Shimoga City. But, the Standing Counsel says, on that ground alone the applicant cannot seek transfer since there is nothing in law which obliges Government to put the two spouses together at the same place. I do realise that as at present that such is the legal position.

2. Learned counsel for the applicant tells me that his client is prepared to work anywhere in Shimoga District so that he can be nearer to his wife. Notwithstanding the legal dicta, if any, there should be little difficulty in endeavouring to accommodate the two spouses together if that is feasible. At any rate, the department should have taken steps to dispose off the representations made by the applicant from 1991 to 1993 and should not have allowed them to lie dormant.

3. In the circumstances all that I ^{am required to} do is to direct the appropriate authority who ever it be, to consider and dispose of the representations made by the applicant at Annexures A1 to A7, within 3 months from the date of receipt of a copy of this order. I would like to add all things being equal and taking into consideration the fact that the applicant is working at Madikere since 1988 the department may consider shifting him to Shimoga provided suitable vacancies are available in relation to which the applicant has also furnished some information in this application.

4. The Application stands disposed off as aforesaid. Leave

granted to the learned Standing Counsel to file memo of appearance. Send a copy of this order to the respondents for compliance as expeditiously as possible.



Sd-
VICE-CHAIRMAN.

TRUE COPY

N. [Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

30/9/93