

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 033.

Dated: 30 MAR 1995

APPLICATION NO. 786 of 1994.

APPLICANTS: V.P. Kamalamma, Madras-40.

V/s.

RESPONDENTS: The Registrar, C.A.T. Principal Bench, N. Delhi
and another.

To

1. Sri.S.P.Kulkarni, Advocate,
No.2593, Eleventh Main,
E-Block, Second Stage,
Rajajinagar, Bangalore-560010.
2. Sri.M.S.Padmarajaiah, Senior
Central Govt. Stng. Counsel,
High Court Bldg, Bangalore-1.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 16-03-1995.

Issued on
30/03/95
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DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH: BANGALORE

ORIGINAL APPLICATION NUMBER 786 OF 1994

THURSDAY, THIS THE 16TH DAY OF MARCH, 1995.

Mr. Justice P.K. Shyamsundar,

Vice-Chairman.

Mr. T.V. Ramanan,

.. Member(A)

V.P. Kamalamma,
W/o K.P. Parameswaran,
Aged about 44 years,
residing at Anna Adarsh Hostel,
Annanagar, Madras - 600 040,
employed as Deputy Registrar,
Central Administrative Tribunal,
Madras.

.. Applicant.

(By Advocate Shri S.P. Kulkarni)

v.

1. Central Administrative Tribunal,
represented by the Registrar,
Faridkot House, Copernicus Marg,
New Delhi-110 001.
2. Mr. Robert,
Chief Judicial Magistrate,
Calicut.

.. Respondents.

(By Standing Counsel Shri M.S. Padmarajaiah)

ORDER

Mr. Justice P.K. Shyamsundar, Vice-Chairman:-

We have heard Mr. S.P. Kulkarni, learned counsel for the applicant and Shri M.S. Padmarajaiah, learned Senior Central Government Standing Counsel for respondent-1 which happens to be the Central Administrative Tribunal, Principal Bench, New Delhi, the apex institution controlling all Benches in the country. The applicant who is a lady holds the position of a Deputy Registrar at the Madras Bench of the Central Administra-



tive Tribunal. She was hoping and aspiring for a transfer to a similar position with the Ernakulam Bench which, it appears, was lying vacant at a particular stage. At that time, she had expressed her desire to be fitted into the vacant slot of Deputy Registrar at Ernakulam Bench. But for her misfortune, it transpired, the said position was decided to be filled up by deputation, in that one Mr. Robert, the second respondent herein was deputed and appointed as the Deputy Registrar of Ernakulam Bench.

2. The filling up of respondent-2 as Deputy Registrar, not denied, is in accordance with the Recruitment Rules which provided for 50 per cent of posts to be filled up by transfer/-transfer on deputation. Probably it was possible to transfer the applicant from Madras to Ernakulam Bench. However, the authorities have filled up the said post by resorting to the other alternative by appointing somebody on deputation. We see no irregularity or illegality in the step taken to fill up the position with respondent-2 as the appointee.

3. The applicant certainly has no right or vested right to that position in Ernakulam Bench. Probably it was found more feasible to fill up the said post by deputation and not by transfer from outside. These are all matters of administrative exigencies and into that arena the Tribunal cannot stretch its hands unless it is shown that the power is being exercised arbitrarily. While we do realise the anguish felt by the applicant turning down her request in not having secured the position at Ernakulam Bench regularly, all that we can do is to express our sympathies and hope that she will find in the near future a position that will cater better to her needs. With these observations this application stands dismissed. There will be no order as to costs. Mr. Kulkarni submits that his client

will make a representation to the Chairman of the Central Administrative Tribunal for a placement which suits her convenience. Whatever we have said in this order will not preclude her from making any such representation, if so advised.

Sd-

MEMBER(A)

Sd-

VICE-CHAIRMAN.

np/



TRUE COPY

[Handwritten signature]
30/3/95

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore