

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 3 JAN 1995

Miscellaneous APPLICATION NO: 574/1994 in OA.Nos.517, 518, 811 and  
813 abd 890 of 1994.

APPLICANTS:- Sri.L.Shivalinga and Others.,  
V/S.

RESPONDENTS:- Secretary, M/o .Defence, New Delhi and four Others.,

To

1. Sri.M.S.Aandaramu, Advocate, No.27,  
First Floor, First Main, Gandhinagar,  
Chandrashekhar Complex, Bangalore-9.
2. Sri.V.Jawahar Babu, Advocate, No.53,  
First Floor, 28th Cross, Cubbonpet  
Main Road, Bangalore-560002.
3. Sri.M.Vasudeva Rao, /M.S.Padmarajaiah,  
Central Govt.Stng.Counsel High Court Bldg,  
Bangalore-1.

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

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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 22-12-1994.

Issued on  
03/01/95

  
of   
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

In the Central Administrative Tribunal

Bangalore Bench

Bangalore

MA 574/94 re in

D. Application Nos. 517, 518, 813 and 810 of 1994.

Sh. L. shivalinga Rao vs. M/s. ISCY, M/o Defence, N. Delhi.

ORDER SHEET (Contd.)

Date | MA Box ~~Ex-Officio of the~~ Office Notes | Orders of Tribunal

PKSVC/TVRMA

22.12.1994

Orders on M.A. No. 574/94:

We have heard Shri M.S. Ananda Ramu for the applicant but could not hear Shri MSP who is said to be not here today and is pre-occupied. However, we have heard Shri M. Vasudeva Rao, learned Standing Counsel. We consider it proper to grant two more months time to the applicant to vacate the quarters and nothing more. with these observations this MA stands disposed off.



Sd/-  
v.

MEMBER [A]

Sd/-

VICE-CHAIRMAN

TRUE COPY

*[Signature]*  
21/12/94

Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

A2

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 4 OCT 1994

Miscellaneous APPLICATION NO: 434/94 in O.A.No.517,518,811,813 and  
890 of 1994.

APPLICANTS:- L.Shivalinga and others.

V/S.

RESPONDENTS:- Secretary, Ministry of Defence, NDelhi & Others.

To

1. Sri.V.Javahar Babu,  
Advocate, No.53, 1st Floor,  
28th Cross, Cubbonpet Main Road,  
Bangalore-560 002.
2. Sri.M.S.Anandaramu, Advocate,  
No.27, 1st Floor, 1st Main,  
Chandrashekhar Complex,  
Gandhinagar, Bangalore-560 009.
3. Sri.M.S.Padmarajaiah, Senior Central  
Govt.Stng.Counsel, High Court Bldg,  
Bangalore-560001.

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

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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 27th September, 1994.

  
F/2 DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

Sri. L. Shivalinga & Ors. vs. Secy. M/o. Defence, N. Delhi for

(12) 2. M.A.434/Gp in OA Nos. 517,

date	Office Notes	Orders of Tribunal
		<p><u>S18, 811, 813, and 890/94.</u></p> <p><u>PKS(Vc) / TVR(NA)</u></p> <p>27-9-1994</p> <p>Time to vacate the quarter extended by 3 months from the date of this order.</p> <p>We make this order despite the strong opposition made by the learned Standing Counsel for the respondents.</p> <p>Copy of this order may be handed over to both sides for information.</p> <p>Sd/- Sd/- M(A) Vc</p> <p>TRUE COPY</p> <p><i>Shay</i> Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p> <p>This is the true copy of the document referred to as ANNEXURE. In the case of .....</p> <p>Advocate for Applicant</p>



CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated:- 4 AUG 1994

APPLICATION NUMBER: 517, 518, 811, 813 and 890/94

APPLICANTS:

Sh. L. Shivalinga and Others  
To.

RESPONDENTS:

Secretary, Ministry of Defence,  
S. New Delhi and Others.

1. Sri. V. Jawahar Babu,  
Advocate, 53, first floor,  
28/5 Cross, Cubbonpet Main Road,  
BANGALORE-560002.

2. Sri. M. S. Anandaraman, Advocate,  
no. 27, 1st floor, 1st Main  
Chandrashekhar Complex,  
Gandhinagar, Bangalore-560009.

③ Sri. M. S. Padmarajiah,  
S. C. G. S. C., High Court Bldg,  
Bangalore-560001.

Received copy

From  
18/8/94

(Vishwanath/Clear)

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

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 26.7.94.

of/c

Se Shaukar  
for DEPUTY REGISTRAR 4/8  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL,  
BANGALORE BENCH.

ORIGINAL APPLICATION NOS. 517, 518, 811, 813 & 890/ 1994

TUESDAY, THE 26TH DAY OF JULY, 1994

Shri Justice P.K. Shyamalundar ... Vice Chairman  
Shri T.V. Ramanan ... Member (A)

1. Shri L. Shivalinga,  
S/o Lingaiah, Major,  
Working as Farm Hand,  
Residing near Madhu Store,  
Post Sanjeevini Nagar,  
Hebbal,  
Bangalore - 560 024.  
(OA No. 517/ 1994)
2. Shri Murugadas,  
S/o Mannangatty,  
Major,  
Working as Farm Hand,  
Resident of Farm Quarters,  
No. T/44/ 1, Hebbal,  
Bangalore - 560 024. ... Applicants  
( OA No. 518/ 1994)  
  
(By Advocate M/s V. Jawahar Babu )
3. Shri Revanna,  
S/o Rangaiah,  
aged about 28 years,  
Working as Farm Hand,  
Office of the Officer  
Incharge, Military Farm,  
Hebbal, Bangalore-24 &  
residing at Military Farm  
Quarters, Hebbal,  
Bangalore - 24.  
( OA No. 811/ 1994 )
4. Shri D. Rangappa,  
S/o Obanna, aged about  
29 years, working as Farm-Hand,  
Office of the Officer Incharge,  
Military Farm, Hebbal,  
Bangalore-24 and residing at  
Military Farm Quarters,  
Hebbal, Bangalore - 24.  
( OA No. 813/ 1994 )

....2/-



5. Shri Hanumantha,  
S/o Ranga, aged about 40 years,  
working as Farm-Hand,  
Office of the Officer Incharge,  
Military Farm, Hebbal,  
Bangalore-24 & residing at  
Military Farm Quarters No.6,  
Hebbal, Bangalore-24.  
( OA No. 890/ 1994 )

... Applicants

(By Advocate Shri M.S. Ananda Ramu )

Vs.

1. The Union of India  
by its Secretary,  
Ministry of Defence,  
New Delhi.

2. The Deputy Director of  
Military Farm, Headquarters,  
Southern Command, Kirkee,  
Pune-3.

3. The Deputy Director General,  
Military Farm,  
Army Headquarters,  
D.M.G. Branch,  
New Delhi.

4. The Assistant Director,  
Military Farm,  
Officer Incharge,  
Military Farm, Hebbal,  
Bangalore-24.

5. Shri B.B. Biswas,  
Assistant Director, Military Farm,  
Officer Incharge, Military Farm,  
Hebbal, Bangalore - 24.

... Respondents

( By Advocate Shri M.S. Padmarajaiah, Senior  
Standing Counsel for Central Government).

O R D E R

Shri Justice P.K. Shyamsundar, Vice Chairman

Heard M/s V. Javahar Babu/ Ananda Ramu for the applicants  
and the learned Standing Counsel. M/s Javahar Babu/ Ananda Ramu  
combat the order transferring their clients from Military Farm,

Hebbal, Bangalore. It is strenuously urged that the applicants being the Farm Hands had been maliciously picked up for unjust shift from their native soil which has resulted in extreme hardship not merely to them but also to their families. It is pointed out because the applicants were the office bearers/ members of a union of Farm Hands constituted under law, the administration taking exception to this kind of congregation had sought to paralyse the applicants and their colleagues in the other cases which are also presently dealt with.

2. We have perused the file and found that all transfer orders have been made in public interest. The argument is that the applicants are singled out in migration to an outside territory and that the orders suffer from malafide but we see no such thing. We are satisfied with the order and is not vitiated by malafide or any other intention . Under the circumstances, these applications therefore fail. The applicants should join their new places of work and after completing one year's tenure in the new places of posting, the applicants may if so advised make representations to the department for their retransfer to Bangalore. If that is done and if in view of the appropriate authority finding that the applicants' prayer for a transfer back to Bangalore is justified, the authority may consider such representation in as sympathetic light as possible and with all things being equal

may make order retransferring the applicants to Bangalore. In the meanwhile, the applicants will be entitled to retain the official quarters at Bangalore for a period of two months from today. With this direction, these applications which otherwise fail shall stand dismissed. No costs.

Sd/-

( T.V. Ramanan )  
Member (A)

Sd/-

( P.K. Shyamsundar )  
Vice Chairman



TRUE COPY

*S. Shankar*  
SECTION OFFICER 4/8  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
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Dated: 4 OCT 1994

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APPLICANTS:- L.Shivalinga and others.

V/S.

RESPONDENTS:- Secretary, Ministry of Defence, NDelhi & Others.

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Gandhinagar, Bangalore-560 009.
3. Sri.M.S.Padmarajaiah, Senior Central  
Govt. Stng. Counsel, High Court Bldg,  
Bangalore-560001.

(Sl. No. 2)  
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Attn:

4/10/94

— Vishwanath —

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Issued on

4/10/94 R

0/- for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

Sri. L. Shivalinga & Ors. Vs. Secy. M/o. Defence, N. Delhi for

2. MCA 434/94 in OA Nos. 517,

Date	Office Notes	Orders of Tribunal
		<p><u>S18 811, 813, and 890/94.</u></p> <p><u>PKS(Vc) / TVR(NA)</u></p> <p>27-9-1994</p> <p>Time to vacate the quarter extended by 3 months from the date of this order.</p> <p>We make this order despite the strong opposition made by the learned Standing Counsel for the respondents.</p> <p>Copy of this order may be handed over to both sides for information.</p> <p>Smt. Smt. M(A) Vc</p> <p><b>TRUE COPY</b></p> <p>Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p> 