

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 9 FEB 1995

APPLICATION NO: 470 of 1995.

APPLICANTS:- A.M.Vijayanarayana Gowda, Mangalore.

V/S.

RESPONDENTS:- The Central Provident Fund Commissioner, New Delhi
and three others.,

To.

1. Sri.P.Changalaraya Reddy, Advocate,
No.113-F, Fifth Floor, Central Chambers,
Gandhinagar, Bangalore-560 009.
2. Sri.M.Vasudeva Rao,
Additional Central Govt. Standing Counsel,
High Court Bldg, Bangalore-560 001.
3. The Regional Provident Fund Commissioner,
Karnataka Region, Rajaram Mohan Roy Road,
Bangalore-560 025.

Subject:- Forwarding of copies of the Orders 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 27-01-1995.

Issued on
14/2/95

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[Signature]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.
9/2/95

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.470/1995

FRIDAY THIS THE TWENTY SEVENTH DAY OF JANUARY, 1995

MR. JUSTICE P.K. SHYAMSUNDAR

VICE CHAIRMAN

MR. T.V. RAMANAN

MEMBER (A)

A.M. Vijayanarayana Gowda,
Section Supervisor/Head Clerk,
Office of the Sub Regional
Provident Fund Commissioner-II,
Balmatta,
Mangalore - 575 002

Applicant

(By Advocate Shri P.C. Reddy)

v.

1. The Central Provident Fund
Commissioner, 9th Floor,
Mayur Bhavan, Connaught Circus,
New Delhi - 110 001
2. The Regional Provident Fund
Commissioner in Karnataka,
Bangalore - 560025
3. The Assistant Provident Fund
Commissioner (Admn),
O/o the Regional Provident
Fund Commissioner,
Bangalore - 560025
4. The Regional Provident Fund
Commissioner-II,
Office of the Sub Regional
Provident Fund Office,
Balmatta,
Mangalore - 572002

Respondents

(By learned Standing Counsel)
Shri M.V. Rao

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

We have heard the learned counsel for the
applicant and the learned Standing Counsel
Shri M.V. Rao who appeared and took notice in



this case at our direction and asked for some time and we did give to him time to file a statement of objections. But, having perused the pleadings in this case as also the documents appended to the application, we notice therefrom that the applicant who had been transferred in the usual course from Bangalore to Mangalore had sought for a re-transfer back to Bangalore and that representation had been turned down. Thereafter, he was asked to join at Mangalore and take leave.

2. We are now told by the applicant's counsel that the applicant reported at Mangalore and then went on leave. It now transpires that he has made a further representation to the Department and pursuant to the same, the Department had directed him to produce supportive proof ^{as} regards ~~the~~ treatment of his son as per Annexure A-16. Accordingly, the applicant had produced some documents as per Annexure A-17 to show that his son was the recipient of continuous treatment at NIMHANS, Bangalore. The situation appears to be somewhat pitiable. The applicant's child appears to suffer from some kind of a disease which needs specialised treatment that can only be had from a specialised institution like NIMHANS and the Department must take notice of the same and consider the request in a more humane touch. We only hope that

the representation made by the applicant as at Annexure A-17 will be disposed of as sympathetically as possible and that is all we can do herein and therefore conclude by directing the Department to dispose of the representation referred to at Annexure A-17 on the basis of the material referred to at Annexure A-17 stated to be produced already. Department to take a decision within four weeks from the date of receipt of a copy of this order. This application stands disposed of as aforesaid at the stage of admission itself. Standing counsel to file Memo of appearance within two weeks. No costs.

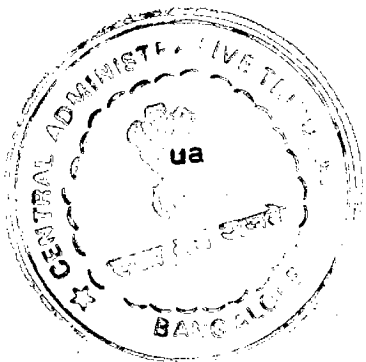
Sd/-

17/11/95

MEMBER (A)

Sd/-

VICE CHAIRMAN



TRUE COPY

[Signature]
Section Officer

Central Administrative Tribunal
Bangalore Bench
Bangalore

9/2/95

FRIDAY THIS THE TWENTY EIGHTH DAY OF APRIL, 1995

MR. JUSTICE P.K. SHYAMSUNDAR

VICE CHAIRMAN

MR. T.V. RAMANAN

MEMBER(A)

A.M. Vijayanarayana Gowda,
Head Clerk,
Accounts Group,
Sub-Regional Office, Mangalore,
presently at No.71, 21st Cross,
Near 7th Main end, Near Pushpa
Layout, N.S. Palya, BTM Layout,
Bangalore

Complainant/
Applicant

(By Advocate Shri C.V.Sudhindra)

v.

1. K.S. Sarma,
Central Provident Fund Commr.,
9th Floor, Mayur Bhavan,
Connaught Place,
New Delhi-1

2. A. Viswanathan,
Regional Provident Fund Commr.,
Rajaram Mohan Roy Road,
Bangalore

3. M.S. Raghavendra,
Assistant Provident Fund Commr.,
Office of the Regional Provident
Fund Commissioner,
Rajaram Mohan Roy Road,
Bangalore

4. S. Raghuraman,
Regional Provident Fund Commr(II)
Office of the Regional Provident
Fund Commissioner, Balamatta,
Mangalore

Respondents

(By learned Standing Counsel)
Shri M.V. Rao

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

There is total implementation of
directions made by us while disposing of

O.A.No.470/1995 and therefore, we see no reason to proceed with this contempt petition at all. Shri M. Vasudeva Rao, appearing for the Department files an affidavit on behalf of one of the respondents bringing to our notice that the Department has complied with the directions of this Tribunal by disposing of the representation submitted by the applicant asking the Department to consider his case for relocation at Bangalore. We notice the Department has since reposted the applicant back to Bangalore to facilitate treatment of his son who is said to be suffering from some ailment for which treatment is only available at NIMHANS, Bangalore and nowhere else. We are happy to note that the Department has taken steps we had commended on the earlier occasion and given effect to it by retransferring the applicant.

2. We notice that the applicant herein in the course of this application appears to have needlessly maligned the attitude of the higherups by alleging that the General Secretary of the Staff Union had some hand in disturbing him from Bangalore. We see no substance in the said allegation and would like to point out that the applicant would have been better off without making those allegations. The learned counsel for the applicant tells us that he will bring this to the of his client and would advise him ~~not to~~ ^{not to} indulge in such unmerited outbursts in future. There is nothing

else that need directions and hence we dispose of
this contempt petition as unnecessary.

Sd-

Sd- *heg*

MEMBER(A)

VICE CHAIRMAN

TRUE COPY

[Signature]
09/15/15

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

mr

Section Officer
Central Administrative Tribunal
Bhopal
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