

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 58/92
P.A. No.

1992

DATE OF DECISION 10.3.1992

Sri B.D.Thompson Petitioner

Mr.MV.Durga Prasad Advocate for the Petitioner(s)

Versus
The Director, (Handicrafts), Southern
Regional Office, Madras & 2 others Respondent

Mr.N.Bhaskara Rao, Addl.CGSC Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.BALASUBRAMANIAN, MEMBER (ADMN.)

The Hon'ble Mr. T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

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?

MGIPRRND-12 CAT/36-3-12-86-15,000

(HRBS)
M(A)

(HTCSR)
M(J)

.. 2 ..

This is an application filed under Section 19 of the Administrative Tribunals Act to quash the proceedings dated 7.1.1992 passed by the First respondent herein as arbitrary and void and to pass such other orders as may be just and proper. The facts giving rise to this OA in brief are as follows:

2. The applicant at present is working as a Store Keeper-cum-Accounts Clerk in the Office of the First respondent at Eluru. The First respondent by his order dated 7.1.92 had transferred the applicant from Eluru to Carpet Weaving Centre at Kalangal in Tamilnadu by the proceedings dated 7.1.1992. Aggrieved by the said transfer order dated 7.1.1992 the applicant has filed the present application to quash the said proceedings dated 7.1.1992.
3. The respondents have filed their counter opposing this OA.

4. On 14.2.1992 it was submitted by Mr.Ravi Prasad for Mr.Durga Prasad, Advocate for the applicant that there is one more vacancy of Store Keeper-cum-Accounts Clerk in the Office of the respondent at Eluru as on that date. So, in view of that position we directed the respondents not to fillup the said post until further orders. It is also further brought to our notice that one more post of Store Keeper, Accounts Clerk is vacant at Tadepalligudem. It is pleaded by the applicant in his application that the wife of the applicant is an employee working at Eluru and his daughter is studying Intermediate at Eluru. It is also the case of the applicant that his transfer from Eluru to the said place in

T. C. M.P

contd...3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.58/92

Date of Order: 10.3.1992.

BETWEEN:

Sri B.D.Thomson

.. Applicant.

A N D

1. The Director,
 O/o Development Commissioner
 (Handicrafts), Southern
 Regional Office, Shastri
 Bhavan, III Floor, No.26,
 Haddows Road, Madras.

2. The Carpet Training Officer,
 Carpet Weaving Training Centre,
 Kandikagudem, Eluru.

3. Sri K.R.Murali Krishna,
 S/o. Not known, aged 28 years,
 working as Store Keeper-cum-
 Accounts Clerk, in Carpet
 Weaving Training Centre,
 Sanivarapet, Eluru. .. Respondents.

Counsel for the Applicant .. Mr.MV.DurgaPrasad

Counsel for the Respondents No.1 & 2: Mr.N.Bhaskara Rao, Addl.CGSC
 Note: re: Respondent No.3 not returned/deniedCOURT

HON'BLE SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
 Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).

To

1. The Director,
O/o Development Commissioner (Handicrafts)
Southern Regional Office, Shastri Bhavan,
III Floor, No.26, Hadows Road, Madras.
2. The Carpet Training Officer,
Carpet Weaving Training Centre,
Kandikagudem, Eluru.
3. One copy to Mr.M.V.Durgaprasad, Advocate
37, Indiranagar, Vijayanagar colony, Hyderabad
4. One copy to Mr.N.Bhaskar Rao, Addl. CGSC. CAT. Hyd.
5. One spare copy.
6. one copy to S.A(S)

pvm

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6/11/2000 10:00 AM

13/12/1981

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Tamilnadu would cause hardship to him and to his family. *Assent*
 It is the contention of the learned counsel for the ~~applicant~~ due to the administrative exigencies that the services of the applicant are required at Kalangal in Tamilnadu and so the applicant had been transferred. Admittedly the applicant is working as a Store Keeper-cum-Accounts Clerk which is a non skilled post. Bearing in mind the facts and circumstances of the case we feel that it would be just and proper to direct the respondents to consider the request of the applicant to retain him at Eluru as ~~a~~ Store Keeper or to transfer him if the vacancy available at Eluru or ~~in~~ the alternative to consider his transfer to Tadepalligudem if the ~~Administration~~ is not going to put any ~~inconvenience~~ ^{hand} and if they are not able to find a suitable ~~post~~ to the ^{present} ~~post~~ at Kalangal which is ~~already~~ ^{posted} ~~as an~~ unskilled post.

5. In the result we direct the respondents to consider to retain the applicant at Eluru itself in the present post or to consider to transfer the applicant to the post of Store Keeper-cum-Accounts Clerk ~~at Tadepalligudem~~ ^{and} which is said to be vacant at Eluru ~~or~~ Tadepalligudem. With the said observation this application is dismissed with no order as to costs.

R. Balasubramanian
 (R. BALASUBRAMANIAN)
 Member (Admn.)

T. Chandrasekhara Reddy
 (T. CHANDRASEKHARA REDDY)
 Member (Judl.)

Dated: 10th March, 1992.
 (Dictated in the Open Court) *5203/2*
 Deputy Registrar (O)

W 2/2/92

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. . .

V.C.

THE HON'BLE MR.R.BALASUBRAMANIAN:M(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY:✓
M(JUDL)

AND

THE HON'BLE MR.C.J.ROY : MEMBER(JUDL).

DATED: 10 -3 -1992.

ORDER/JUDGMENT:

R.A/C.A/ M.A.N.

in

O.A.Nc.

58/92

T.A.No.

(W.P.No.)

Admitted and interim directions
issued.

Allowed

Disposed of with directions.

Dismissed with Directions.

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.

