

15

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

* * *

D.A. 1582/92

Dt. of Decision : 22.12.93

T.V. Raghavulu

.. Applicant

Vs

1. The Admiral Superintendent,
Naval Dock Yard,
Visakhapatnam - 14.
2. Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Visakhapatnam. .. Respondents.

Counsel for the Applicant : Mr.P.B. Vijaya Kumar

Counsel for the Respondents : Mr.N.R. Devaraj, ^{V.B. Bhimanna Adl.} CGSC.

CORAM:

THE HON'BLE JUSTICE SHRI V. NEELADRI RAD : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

..2



16

Judgement dated 22/12/93

Heard Shri P.B. Vijayakumar, learned counsel for the applicant and also Shri V. Bhimanna, learned standing counsel for the respondents.

The applicant was promoted as foreman by proceedings dated 1.12.93 issued by the Respondent 1 and posted to Calcutta. He is presently working at Vizag. This OA was filed praying for a direction to the respondents to retain him at Vizag on promotion as foreman.

The applicant is a Scheduled caste. The judgement of Supreme Court 1991 (1) ATJ 243 Ahmedabad dated 19-1-90 (PR Sehgal Vs Chief Postmaster-General) was quoted to contend that the SC employees will not be transferrable to places far away from their native places. The applicant is working in Naval dockyard. This is a transferable post. As it is a transferable post one cannot claim that he should not be transferred from one place to another. The other nearest dockyard to Vizag dockyard is at Calcutta. The applicant is transferred to Calcutta. Hence he should not have any grievance. But it is now submitted that the applicant can atleast be retained till the end of this academic year as there is vacancy in the Naval dockyard at Vizag in the cadre of foreman. It is

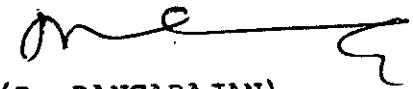
In these circumstances, the following order is passed. The applicant is so advised that he can make a representation to Respondent 1 praying for his retention atleast till the end of this academic year, and if such representation is going to be filed by 31-12-93, the same has to be disposed of by the Respondent 1. Till the same is disposed of, the

22/12/93

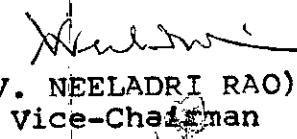
(CAT)

applicant has to be retained at Vizag if he is not yet relieved. The OA is ordered accordingly at the admission stage.

The office has to issue a copy of this order by 24-12-93 and the same has to be despatched to Respondent 1 on the same day.

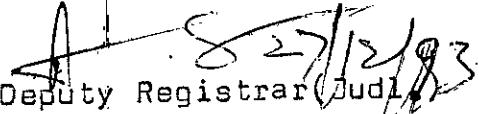


(R. RANGARAJAN)
Member (Admn.)


(V. NEELADRI RAO)
Vice-Chairman

(Open court judgement)

NS


Deputy Registrar (Jud)

Copy to:-

1. The Admiral Superintendent, Naval Dock Yard, Visakhapatnam-14.
2. Flag Officer, Commanding-in-Chief, Eastern Naval Dock Command, Visakhapatnam.
3. One copy to Sri. R.B. Vijaya Kumar, advocate, Advocates Associations, High Court Buildings, Hyd.
4. One copy to Sri. N. Neeladri, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Replies -

322 copy
PSC
127
Total

JKGBNCB
TYPED BY

O.A. 1582/92
COMPARED BY

C.C.W
CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

THE HON'BLE MR.T.GHANDRASEKHAR REDDY
MEMBER(J)

AND

THE HON'BLE MR.R.RANGARAJAN : MEMBER(A)

Dated: 22/12/1993

ORDER/JUDGMENT:

M.A/R.A/C.A.NO.

O.A.No. 1582/93 in

Admitted and Interim directions
issued.

Allowed.

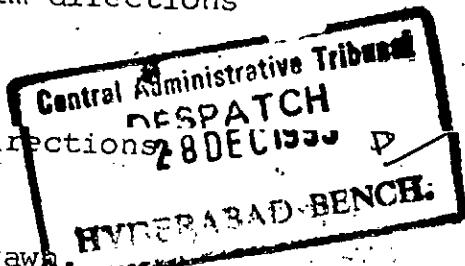
Disposed of with directions 8 DEC 1993

Dismissed.

Dismissed as withdrawn.

Dismissed for default.
Rejected/Ordered.

No order as to costs.



pym