

(35)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A. No. 854/94.

Dt. of Decision : 20.7.94.

Mr. P.V.N. Ravi Kumar

.. Applicant.

Vs

1. Union of India rep. by  
Engineer-in-Chief,  
New Delhi.

2. Engineer-in-Chief,  
Rivake, - Gnerad

3. Director General,  
Naval Project,  
Visakhapatnam.

.. Respondents.

Counsel for the Applicant : Mr. D. Subrahmanyam

Counsel for the Respondents : Mr. V. Bhimanna. Addl. CGSC.

CORAM:

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

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

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O.A.NO.854/94.

JUDGMENT

Dt: 20.7.94

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri D.Subrahmanyam, learned counsel for the applicant and Shri M.Bhimanna, learned standing counsel for the respondents.

2. This OA is filed assailing the order dated 4.7.1994 of R-2 whereby the request of the applicant to cancel the order of transferring him from Visakhapatnam to Pune was rejected.

3. The applicant served for four years in Andaman and Nicobar and after he underwent service in that inconvenient station, he was posted to Visakhapatnam in 1986. The applicant was transferred to Pune as per the proceedings of R-2 dated 12.5.1994. The main contention for the applicant is that as per the guidelines vide Annexure-III, senior most at the station has to be transferred and even though 34 were above the applicant in the said cadre at Visakhapatnam, he was picked and transferred and as such the order dated 12.5.1994 transferring him from Visakhapatnam is not in accordance with the guidelines and <sup>hence</sup> ~~as such~~ it is liable to be set-aside. List of Draughtsmen-I on the basis of their length of service at Visakhapatnam is

contd....

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.. 3 ..

as per Annexure-II. A perusal of the same indicates that the D'men-I from Sl.Nos 1 to 34 are ladies. It is stated for R-2 in the impugned order dated 4.7.1994 that as he is the senior most male member in the said grade in Visakhapatnam, he was transferred. It is true that <sup>female employees also</sup> ladies are liable for transfer. But when the concerned authority felt that ~~in case of transfer~~ <sup>one</sup> of ladies from State to another State may cause some ~~inconvenience to them and thereby male employee was~~ transferred, the said exercise cannot be held as arbitrary or perverse. As such, the impugned order does not warrant interference.

4. In the result, the OA is dismissed at the admission stage. No costs.

(R.RANGARAJAN)  
MEMBER (ADMN.)

(V.NEELADRI RAO)  
VICE CHAIRMAN

DATED: 20th July, 1994.  
Open court dictation.

Deputy Registrar(J)CC

To vsn

1. The Engineer-in-Chief, Union of India, Army Headquarters, New Delhi.
2. The Engineer-in-Chief, Southern Command, Kirkee, Pune.
3. The Director General, Naval Project, Visakhapatnam.
4. One copy to Mr.D.Subrahmanyam, Advocate, CAT.Hyd.
5. One copy to Mr.V.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

13/8/94  
20/7/94

TYPED BY \_\_\_\_\_ CHECKED BY \_\_\_\_\_  
COMPALED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND

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

DATE: 20-7 - 1994

~~ORDER~~ JUDGMENT

M.A.No./R.A/C.A.No.

O.A.No.

in  
854/94.

(T.A.No.

(W.P.No

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Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed *Admission slip*

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

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