

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.1514/94

decided on : 29-12-94

Between

Kum. Malini Krishnamoorthy : Applicant

and

1. Union of India, through  
The Secretary to GOI  
Min. of Personnel & Training  
Central Sectt. North Bloc  
New Delhi

2. Min. of Home Affairs  
Through its Secretary  
Govt. of India, Central Sectt.  
North Block, New Delhi

3. State of Karnataka, through  
Govt. of Karnataka  
Bangalore

4. SVP National Police Academy  
Through its Director  
Shivaram pally, Hyderabad 500252  
5. Govt. of Assam-Meghalaya  
rep. by its Chief Secretary  
Govt. of Assam-Meghalaya  
Sectt., Guwahati, Assam

: Respondents

Counsel for the applicant : Y. Suryanarayana

Counsel for the respondents : N.V. Ramana, SC for  
Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN  
HON. MR. R. RANGARAJAN, MEMBER(ADMN.)

submitted for the learned standing counsel that the ~~on~~  
 17-12-94, he ~~letter~~  
~~letter was~~ addressed to the Secretary, Government of  
 India, Ministry of Personnel, PG & Pension, by enclos-  
 ing the OA copy and the copy of the proceedings dated  
 15-12-1994 in this OA.. It was further stated for the  
 learned standing counsel that no instructions were  
~~.....~~ given or personnel even till today  
 forenoon.

7. Letter dated 18-6-1991 of the Ministry of Personnel  
 (vide Annexure-A) makes it clear that the All India  
 Service Women Probationary officers would not be allotted  
 to the North Eastern States for a period of five years  
 commencing from 1990 batch ~~the~~ ~~batch~~ ~~the~~  
 1993 batch only. But it is not known as to why the  
 applicant was allocated to Assam and Meghalaya even though  
 it was stated as per letter dated 18-6-1991 that for  
 five years commencing from 1990 batch ~~the~~ ~~batch~~ ~~the~~  
~~Probationary officers would not be allocated to North~~ ~~IT was changed in~~  
 Eastern States. It cannot be stated that further decision  
 was taken in the matter for it is stated even in the  
~~representation dated 5-10-1994 that the two women IAS~~  
~~Probationary officers were~~ ~~the~~ ~~the~~  
 transfers from North Eastern States to Haryana cadre/  
 UT Cadre. It cannot be stated that there is no force in  
 the contention for the applicant that if it is not  
 implemented in regard to ~~the same~~ <sup>some, with</sup> it is violative of  
 Article 14 of the Constitution. Thus, there is a prima-  
 facie case in regard to the cadre transfer of the  
 applicant.

8. As the leave of the applicant is going to be  
 expired by tomorrow i.e. 30-12-94 afternoon, we feel

*Ans*

6. When this OA had come up on 15-12-1994 for consideration in regard to the interim relief claimed, <sup>and as it was</sup> it is state

... would expire by 30-12-1994 afternoon, learned standing counsel sought time till 28-12-1994 to have necessary instructions in the matter. It was

it not a case where further adjournment has to be given for consideration of the interim relief so as to enable the learned standing counsel for the respondents to have instructions in the matter. As it was specifically pleaded that the Karnataka Government had sent the no objection certificate to both the Government of India and Government of Assam and Meghalaya, for cadre transfer of the applicant to Karnataka State cadre, and as any further delay in passing the interim order will cause prejudice to the applicant, it is just and proper to pass the following interim order :

R-3 has to make necessary arrangements for the District Training of the applicant in Karnataka State and when she reports to the Chief Secretary, Karnataka State, alongwith copy of this Order. This is subject to further orders in this OA./

CERTIFIED TO BE TRUE COPY  
 Dated..... 3.1.2014  
 Court Officer  
 Central Administrative Tribunal  
 Hyderabad Bench  
 Hyderabad

1. The Secretary to GOI, Min. of Personnel and Training, Central Secretariat, North Block, New Delhi.
2. The Secretary, Min. of Home Affairs, Govt. of India,
3. The Chief Secretary, North Block, New Delhi, Bangalore.
4. The Director, SVP National Police Academy, Shivrampalli, Hyderabad-500 252.
5. The Chief Secretary, Govt. of Assam Meghalaya, Secretariat, Guwahati, Assam.
6. One copy to Mr. Y. Suryanarayana, Advocate, CAT, Hyderabad.
7. One copy to Mr. N.V. Ramana, Addl. CGSC, CAT, Hyderabad.
8. One copy to Library, CAT, Hyderabad.
9. One spare copy.

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HYDERABAD BENCH, HYDERABAD

O.A. No.1514/94

v/s

Union of India and ors. Respondents

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2. Annexure R-I Pages 4

*Hari Singh*  
(Hari Singh )

Shri N.V. Ramana,  
Addl. Central Govt. Standing Counsel