

CENTRAL ADMINISTRATIVE TRIBUNAL
HYD. BENCH.

O.A. No. / T.A. No. 5290 1994

K. Balakrishna Applicant (S)

VERSUS

National Salting Committee Respondent (S)

Min. of Finance, Mysore and on

Date	Office Note	Orders
23-5-94		<p>The application is disposed vide orders on separate sheets at the admission stage. No costs.</p> <p>Office has to communicate copy of the order to R-1 and R-2 by 27-5-94.</p> <p style="text-align: right;">✓</p> <p style="text-align: right;">HVRJ NC</p>

14

O.A.No.590/94

O R D E R

X As per the Hon'ble Sri Justice V. Neeladri Rao, X

The applicant is working as Head Clerk. He was transferred along with the post from Hyderabad in A.P. Circle to Madras in Tamil Nadu Circle, as per the impugned order dt. 12-5-94. ~~He was also -----~~ 16-5-94. This O.A. was presented today challenging the order of transfer.

2. It is submitted for the applicant as under. By the date of impugned order there were only two posts of Head Clerk in A.P. Circle and both of ~~them~~ The post of Head Clerk is a Non-Gazetted post. Non-Gazetted Officer cannot be transferred from one Circle to another Circle and the transfer can be within the Circle only as per the proceedings No.Vig/8(1)/85, dated 14-4-1986. Hence the impugned order transferring the applicant is violative of above proceedings.

3. The other employee who is working as Head Clerk in Hyderabad had come from Vijayawada in 1993 when the region at Vijayawada was abolished and then he expressed his desire to go to Madras, and instead of transferring him, the applicant was transferred. No prejudice will be caused either if the ~~other~~ Head Clerk at Hyderabad ~~may be~~ transferred to Madras for he himself requested for the transfer, ~~and~~ prejudice will be caused to the applicant especially when he belongs to SC community and when he had to arrange the marriages of his three daughters, and when it is necessary for him to stay

✓

infjw

16

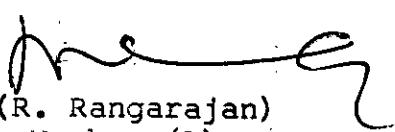
near in his native place which is Telangana area for the said purpose. The other who is working as Head Clerk in Hyderabad is about to retire on 30-9-94, and on his retirement the applicant will be the only employee in the category of Head Clerk in Hyderabad, if he is going to be retained along with the post for this 4 or 5 months, in case the other Head Clerk is not going to be transferred to Madras, and then the question of transfer of any from Hyderabad does not arise.

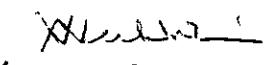
4. It is also submitted that the applicant had already made representation on 16-5-94 to R-1 requesting for his retention at Hyderabad on the above grounds.

5. In the circumstances, we feel that it is just and proper to require R-1 to dispose the above representation of the applicant dispassionately, and expeditiously and preferably by 15-6-94. If the applicant is going to apply for leave till his representation is disposed of by R-1, the same had to be granted. In case the applicant is aggrieved, he is free to approach this Tribunal by way of application

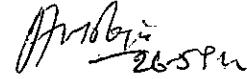
u/s 10 of the A.M.T.

6. The O.A. is ordered accordingly at the admission stage. No costs.


(R. Rangarajan)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dt. May 23, 1994
Open Court Dictation


Deputy Registrar (J) CC
265pm

To

1. The National Savings Commissioner,
Govt. of India, Ministry of Finance,
12, Seminary Hills, Nagpur-6.
2. The Regional Director, National Savings (G.O.I)
Kendriya Sadan, C.Block, IInd Floor, Koti, Hyderabad.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr. K. Bhaskara Rao, Addl. CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm


J.M. 26/5/94

590/94
TYPED BY

COMPARED BY

CHECKED 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.A.B.GORTHI : MEMBER(AD)

AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY
MEMBER(JUDL)

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

Dated: 23 - 5 - 1994

ORDER/JUDGMENT

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

in
O.A.No. 590/94

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions ~~of admission~~ *Step*

Dismissed.

Dismissed as withdrawn
Dismissed for Default.

Rejected/Ordered.

No order as to costs.

