

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

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O.A.No.943/95

Dt.of decision:16.08.1995

Between

V.E.M. Kutty

.. Applicant

and

1. Union of India rep. by  
its Secretary for Defence, South Block  
New Delhi-110 011.
2. Chief of the Naval Staff rep by  
Chief of Material Staff, Naval HQrs,  
New Delhi-110 011.
3. Flag Officer Commanding in Chief  
Eastern Naval Command  
Visakapatnam.
4. Admiral Superintendent Dockyar (V)  
Naval Dockyar, Visakapatnam .. Respondents

Counsel for the applicant :: Mr S.Krishna

Counsel for the respondents :: Mr N.R.Devraj, Sr.CGSC

CORAM:

HON'BLE SHRI JUSTICE V. NEELADRI RAO, VICE-CHAIRMAN

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

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ORDERAs per Hon'ble Shri Justice V.Neeladri Rao, Vice-Chairman

Heard learned counsel for both the parties.

2. The applicant, who is working as a Junior Design Officer in the office of R4, was transferred to Delhi as per proceedings dated 20.4.1995 issued by R2. But, by memo dated 17.5.1995, the applicant and Shri K.S.Pandey (who was posted in the place of the applicant) were informed that the transfer/posting orders dated 20.4.1995 are deferred for a period of three months with immediate effect. It is stated for the applicant that, he received it on 8.6.1995, and then, he made representations on 24.7.1995 and 31.7.1995 (as per annexures A-VI & A-VII annexed to the OA) requesting for his retention in Visakapatnam till the end of the academic year in 1996, as his son is studying second year intermediate at Visakapatnam.

3. This ~~was~~ OA was filed on 7.8.1995 praying for a direction to the respondents to retain him at Visakapatnam till the end of the academic year 1996.

4. It is stated for the applicant that Shri K.S.Pandey <sup>relieve</sup> has not yet come to Visakapatnam to ~~relieve~~ him. The further submission for the applicant is, that one more post of Junior Design Officer is vacant at R4's office.

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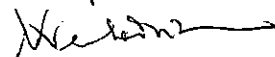
5. In the result, the OA is disposed as under at the admission stage:

"R2 has to dispose the representations of the applicant dated 24.7.1995 and 31.7.1995. Till then, or, till Shri K.S.Pandey, who was posted in the place of the applicant reports at Visakapatnam in the office of R4, whichever is earlier, the applicant has to be retained at Visakapatnam. It is needless to say that it is for the R2 to consider as to whether the applicant may be retained in the other vacancy in the post of Junior Design Officer in the office of R4 till the end of academic year 1996 as suggested by the R4 in his Fax Message which is referred to at Annexure IV to the OA.

6. OA is ordered accordingly. No costs.//



(R. RANGARAJAN)  
Member (Admn)



(V. NEELADRI RAO)  
Vice-Chairman

Dated: The 16th August, 1995

Dictated in the open court

  
Deputy Registrar(J)CC

To

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1. The Secretary for Defence, South Block, Union of India, New Delhi-11.
2. The Chief of the Naval Staff, Chief of Material Staff, Naval HQrs, New Delhi-11.
3. The Flag Officer Commanding in Chief, Eastern Naval Command, Visakhapatnam.
4. The Admiral Superintendent Dockyard(V) Naval Dockyard, Visakhapatnam.
5. One copy to Mr.S.Krishna, Advocate B-16, II Floor, Kachiguda, Hyderabad.
6. One copy to Mr.N.R.Devraj, Sr CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

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

A N D

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

DATED --- 16/8 --- 1995.

~~ORDER~~/JUDGMENT:

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

OA.No. in 943/95

TA.No. (W.P. )

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No. order as to costs.

*NO spare copy*

