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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1590/95

DATE OF ORDER : 3-11-1997.

Between :-

P.Ratnakumari

... Applicant

And

1. The Secretary,
M/● Defence, DRDO Headquarters,
PERS-9, South Block, New Delhi.
2. Secretary,
M/● Health & Family Welfare,
Room No.314, D Wing, Nirman Bhavan,
New Delhi-110 011.
3. Director of Pers (9),
M/● Defence,
Deptt of Defence R&D Organisation,
Sena Bhavan, B Wing, I Floor,
New Delhi.
4. Director, Research Centre
Imrat (RCI), M/● Defence,
Vignayana Kancha (PO),
Hyderabad-500 269.

... Respondents

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Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sè.CGSC
for RR 1, 3, & 4
Shri N.V.Raghava Reddy for R-2.

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CORAM:

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri B.S.Jai Parameswar, Member (A)).

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(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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Heard Sri Phani Raj for Sri P.Naveen Rao, counsel for the applicant, Sri N.V.Raghava Reddy, standing counsel for Respondent No.2 and Sri N.R.Devaraj, learned standing counsel for Respondents 1, 3 and 4.

2. The applicant was selected as LDC by the Staff Selection Commission and joined the Central Secretariat, Ministry of Health, New Delhi. It is stated by the applicant that her husband was working in Hyderabad. Hence she requested for her transfer to Hyderabad. As the Ministry of Health was not having any Branch in the Hyderabad, she requested to transfer her to any of the other department of the Union of India. It was stated that then the respondent No.4 was willing to take the applicant in the existing vacancy but the applicant was required to resign from the post of LDC in the Ministry of Health & Family Welfare if the offer was acceptable to her. Accordingly the applicant submitted her resignation for the post of LDC in the office of the Respondent No.2 and the Respondent No.2 directed the applicant to report to the Respondent No.4 organisation. When the applicant appeared before the Respondent No.4 on 26-7-95, she was not taken to duty by the Respondent No.4. It is stated that to take the applicant into the services under Respondent No.4, the approval of Respondent No.3 was necessary.

3. Hence she has filed this OA praying for a direction to respondent No.4 to take her as Lower Division Clerk with effect from 26-7-95 with all consequential benefits like continuity of service, pay and allowances etc...

4. An interim order was passed on 26-12-95, which reads as follows :-

"When it was submitted for respondent No.4 that if Respondent No.3 was going to consider that the applicant could be taken in any one of the other Laboratories in Hyderabad under the control of DRDO, we inquired the learned counsel for the applicant as to whether the applicant was having any objection for the same and that it was stated that she had no objection if she was taken in any one of the Laboratories under the control of DRDO, in Hyderabad."

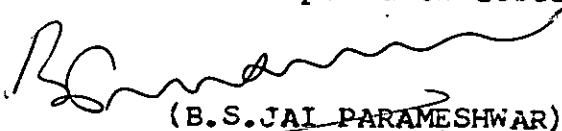
It is now stated that the applicant has been posted under the Respondent No.4 with effect from 27-12-1995.

5. Hence the prayer of the applicant in this OA has been already complied with. However, the applicant now submits that the period from the date of her relief under the Respondent No.2 till she joined under the Respondent No.4 has to be regularised.

6. The applicant may submit a detailed representation in this connection to the competent respondent authority for regularising the said interim period. If such a representation is received, that authority shall consider the same in accordance with the law and the applicant shall be advised suitably.

7. Time for compliance is four months from the date of receipt of representation from the applicant by the respondents.

8. CA is disposed of accordingly. No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

Dated: 3rd November, 1997.
Dictated in Open Court.

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DA.1590/95Copy to:-

1. The Secretary, Ministry of Defence, DRDO Headquarters, PERS-9, South Block, New Delhi.
2. The Secretary, Ministry of Health & Family Welfare, Room No.314, D Wing, Nirman Bhavan, New Delhi.
3. The Director of Pers (9), Ministry of Defence, Department of Defence R & D Organisation, Sena Bhavan, B Wing, I Floor, New Delhi.
4. The Director, Research Centre Imrat (RCI), Ministry of Defence, Vignayana Kancha (PO), Hyderabad.
5. One copy to Mr. P. Naveen Rao, Advocate, CAT., Hyd.
6. One copy to Mr. N.R. Devaraj, Sr. CGSC., CAT., Hyd.
7. One copy to Mr. N.V. Raghava Reddy, For R-2, CAT., Hyd.
8. One copy to BSJP M(J), CAT., Hyd.
9. One copy to D.R.(A), CAT., Hyd.
10. One duplicate copy.

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 3-11-97

ORDER/JUDGMENT

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

in
C.A. NO. 1590 / 95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

