

(11)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

OA.No.1601/95.

Date of order: 29.12.95.

Between:-

V. Krishnaiah ... Applicant.

And

1. Sub Divisional Officer, Telecommunication,
Miryalaguda.
2. Sub-Divisional Engineer, Phones, (Indoor.)
Miryalaguda.
3. Telecom District Manager, Nalgonda.

... Respondents.

Counsel for the Applicant: Mr. K. Venkateswara Rao

Counsel for the Respondents: Mr. N. R. Devaraj, Sr. CGSC.

CORAM:

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

HON'BLE SHRI R. RANGARAJAN, MEMBER ADMINISTRATIVE.

~~HON'BLE V. KRISHNAIAH~~

JUDGEMENT

Dt: 29.12.95

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

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA was filed praying for quashing the Memo No.E7-12/95-96/64 dated 4.12.95 issued by R-1 and the consequential letter No.E1/95-96/37 dated 26.12.95 issued by R-2.

3. The applicant was working as Telephone Operator in Miryalaguda Telephone Exchange by 26.12.95. By the impugned memo dated 4.12.95, he was deputed to Departmental Telegraph Office. There is no post of Telephone Operator in the above Departmental Telegraph Office. It is submitted for the applicant that in view of the said deputation, he has to work as Telegraphist or in some post which is in no way related to Telephone Operator and he is not having any experience as Telegraphist.

4. It is submitted by Shri NR Devaraj, learned standing counsel for the respondents that he was instructed to state that the Telephone Exchange at Miryalaguda which was manually operated is now converted as Electronic Exchange and hence it has become necessary to transfer the Telephone Operators from the said exchange and the applicant was sent to the Departmental Telegraph Office so that he can

Copy to:-

1. Sub-Divisional Officer, Telecommunication,
Miryalaguda.
2. Sub -Divisional Engineer, Phones (Indoor.)
Miryalaguda.
3. Telecom District Manager, Nalgonda.
4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT. Hyd1
5. One copy to Mr. N. R. Devaraj, Sr. CGSC. CAT. Hyd.
6. One spare copy.

kku.


continue to reside in Miryalaguda.

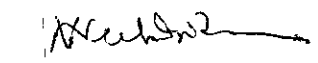
5. Then it was submitted for the applicant that if it is necessary to transfer the Telephone Operators from Miryalaguda Exchange, transfers have to be affected on the basis of the juniority and as four juniors of the applicant are still working in the Miryalaguda Exchange, the applicant cannot be picked for deputation to another office.

6. We feel that in the circumstances of the case, the OA can be disposed of by the following order:


The principle of juniority list of the Telephone Operators in Miryalaguda Exchange has to be followed for transfer/deputation of the Telephone Operators from Miryalaguda Telephone Exchange. Thus it means that if as per the latest seniority list, if any of the juniors of the applicant are continued in Miryalaguda Telephone Exchange, the applicant has to be retransferred to the said Exchange and as and when his turn for transfer/deputation comes, he can be transferred/sent on deputation. If the applicant is going to apply for leave, the same may be considered in accordance with the rules.

∴ The OA is ordered accordingly at the admission stage. No costs. //


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

Dated: 29th December, 1995.
Open court dictation.


Dy. Registrar (Judicial)

04.1601/95
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COMPARED BY

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELAKESHA
VICE CHAIRMAN

AND

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

DATED: 29-12-1995

ORDER/JUDGMENT

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

in

O.A.No. 1601/95

T.A.No.

(W.P.No.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.

