

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 230 /97.

Date of order : 28.2.1997.

Between

Dr.Mrs. C.Nagaratnamma .. Applicant

And

1. Union of India,
Reptd. by its Secretary
to the Govt. of India,
Min. of Health & Family Welfare,
New Delhi-110011.
2. The Director General of
Health Services,
New Delhi-110001.
3. The Addl. Director,
Central Govt. Health Scheme,
Kendriya Swasthya Bhavan,
Near Air Port, Begumpet,
Hyderabad-500016. .. Respondents

Counsel for the Applicant .. Shri K.Venkateswara Rao

Counsel for the Respondents .. Shri N.R.Devaraj, Sr. CGSC

C O R A M

Hon'ble Shri R.Rangarajan : Member(A)

Hon'ble Shri B.S.Jai Parameshwar : Member(J)

Order

{Per Hon'ble Shri R.Rangarajan : Member(A)}

The applicant was transferred to Visakhapatnam by the impugned order No.A.22012/17/94-CHS-II dated 31.1.97 vide Sl.No.1 of the impugned order. This O.A. is filed challenging the transfer order.

2. The applicant submits that there are malafide intentions and extraneous considerations for transfer. However, at this juncture those considerations need not be gone into for disposal of this O.A.

3. The learned counsel for the respondents produced today the D.O. letter No.A.22012/17/94-CHS-II dated 19.2.97 of the Govt. of India. As per this letter the applicant is at liberty

to approach the Committee at Hyderabad for redressal of the grievance in regard to this transfer and that representation should reach the Committee on or before 6.3.97. The Committee will examine the contents of the representation and apprise Respondent No.1 in regard to the posting of the applicant. Respondent No.1 thereupon will decide the issue on the basis of the recommendations of the Committee. In view of the above the applicant has got a chance to express her grievance to the Committee and also put forward other reasons for retaining her at Hyderabad or post her in some other place which she deems convenient to her. The learned counsel for the respondents submitted that she can carry out her transfer to Visakhapatnam and await final disposal of her case on the basis of the Committee's report. This we feel will unnecessarily strain the Government by way of payment of transfer allowance and other incidental expenditure. It is preferable if her representation is finally disposed off before she is transferred finally from Hyderabad.

4. In view of the above the O.A. is disposed of as under:

The applicant if so advised may submit a detailed representation to the Committee at Hyderabad as constituted by the Ministry's D.O. letter dated 19.2.97. If such a representation is received the Committee will examine her grievance and forward its recommendation to Respondent No.1 for further necessary action. Respondent No.1 on the basis of that recommendation will decide the issue finally. Till such time if none joins vice the applicant at Hyderabad she will be continued in that post. If somebody joins in the intervening period before a final decision is taken by Respondent No.1 then she should be allowed to go on leave in accordance with the law for which she will submit a

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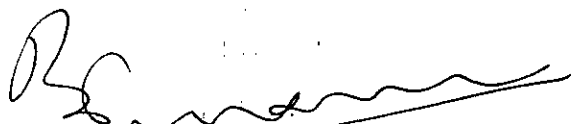
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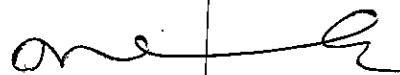
leave application. Once she has been replied in regard to her representation after perusing the recommendations of the Committee the applicant should take further course of action as necessary.

5. With the above direction the O.A. is disposed of at the admission stage itself. No costs.



(B.S. Jai Parameshwar)
Member(J).


28/2/97



(R. Rangarajan)
Member(A).

Dated: 28.2.1997.
Dictated in Open Court.

br.


D.R. (J)

Copy to:

1. The Secretary, Govt. of India,
Ministry of Health and Family Welfare,
New Delhi.
2. The Director General of Health Services,
New Delhi.
3. The Addl. Director, Central Govt. Health Scheme,
Kendriya Swasthya Bhavan, Near Air Post,
Bagumpet, Hyderabad.
4. One copy to Mr. K. Venkateswara Rao, Advocate,
CAT, Hyderabad.
5. One copy to Mr. N. R. Deora, Sr. CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One copy to D.R.(A), CAT, Hyderabad.
8. One duplicate copy.

YLKR

6/3/97 C.C today

TYPED BY
COMPARED BY

CHECKED
APPROVED

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

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

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

DATED: 28/2/97

Order/Judgement
R.P/C.P/M.A.NO.

in
M.A.NO. 230/97

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
DISMISSED FOR DEFAULT
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT

YLKR

