

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

O.A.No. 231 /97.

Date of order : 28.2.1997.

Between

Dr. M.Kanjiram .. 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

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Counsel for the Applicant .. Shri K.Venkateswara Rao

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

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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 Mumbai by the impugned order No.A.22012/17/94-CHS-II dated 31.1.97 vide Sl.No.3 of the impugned order. This O.A. is filed challenging the transfer order.

2. The applicant submits that there are malafide intention 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 liber





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 his grievance to the Committee and also put forward other reasons for retaining him at Hyderabad or post him in some other place which he deems convenient to him. The learned counsel for the respondents submitted that he can carry out his transfer to Mumbai and await final disposal of his 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 his representation is finally disposed off before he 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 his 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 he will be continued in that post. If somebody joins in the intervening period before a final decision is taken by Respondent No.1 then he should be allowed to go on leave in accordance with the law for which he will submit a

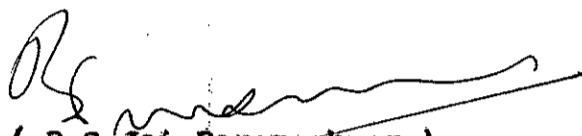
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B

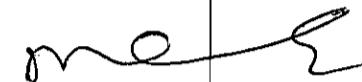
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leave application. Once he has been replied in regard to his representation after perusing the recommendations of the Committee the applicant should take further course of action as necessary.

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

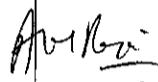
  
( B.S.Jai Parameshwar )  
Member (J).

28/2/97

  
( R.Rangarajan )  
Member (A).

br.

Dated: 28.2.1997.  
Dictated in Open Court.

  
Amritan  
3-2-97  
DMS

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 Bhawan, Near Air Post,  
Begumpet, Hyderabad.
4. One copy to Mr.K.Venkateswara Rao, Advocate,  
CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, 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

9/3/97 October

TYPED BY  
COMPARED BY  
CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD

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

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

DATED: 28/2/87

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

in  
O.A.NO. 231/57

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPENSED OF ~~WITH DIRECTIONS~~

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

केन्द्रीय प्रशासनिक अधिकार  
Central Administrative Tribunal  
DESPATCH/DESPATCH

- 4 MAR 1987

हैदराबाद आयोगी  
HYDERABAD BENCH