

(25)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A No.700/97.

Date: 9--6--1997.

Between:

P.D. Aruna Kumar. .. Applicant.

And

1. The Chairman, Telecom Commission,
New Delhi.
2. The Chief General Manager, A.P.Telcom
Circle, Hyderabad,
3. The General Manager, Telecom, Rajahmundry.
4. Telecom District Engineer, Adilabad,
Adilabad District.
5. The General Manager, Telecom, Warangal.
6. Sri G.V.V.Satyanarayana .. Respondents.

Counsel for the applicant: Sri K.Lakshmi Narasimha.

Counsel for the Respondents: Sri V.Bhimanna.

(JUDGMENT).

(by Hon'ble Shri H.Rajendra Prasad,
Member (A)).

Heard Sri K.Lakshmi Narasimha for the applicant
and Sri V.Bhimanna for the respondents.

The applicant has been serving in Kakinada
for a total period of more than 12 years, of which
8 were in a lower appointment as Junior Telecom
Officer. He has now been transferred to Adilabad.
His main grievance is that he has been shifted owing

Q/A

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to the request of Sri G.V.V.Satyanarayana who wanted a posting from Adilabad to Kakinada, but is being sent to Rajahmundry. The learned counsel for the applicant argues that there is no nexus between Sri Satyanarayana's posting to Rajahmundry, contrary to his request and his (the applicant's) own posting to Kakinada. Further, he claims that persons who have served for longer periods than himself at Kakinada have been retained there.

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Finally, he also states certain vacancies still exist at Kakinada against one of which he could still be accommodated and retained. All these aspects fall within the administrative competence and concern of the authorities. It is for the respondents to consider the case of the applicant on merits and this Tribunal has no views in such matters. Transfers of officials from one station to another is a routine occurrence and Tribunals do not normally interfere in such matters, unless there is an extraordinarily strong reason for doing so, or malafides are alleged or are attributed to any of the authorities.

There are no strong reasons for this Tribunal to interfere in this case. There is no allegation of mala fides. In the circumstances, there is no justification or scope

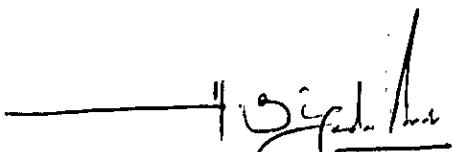
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to interfere in the operation of the impugned order insofar as the applicant is concerned.

It is, however, seen from the record that the applicant submitted a representation to the 2nd respondent within a week of the issuance of the impugned order. The said representation is stated to have not yet been disposed of so far. The Chief General Manager, shall, therefore, have the representation (Annexure IV to the O.A.,) examined, take a suitable decision on merits and communicate the same to the applicant before he is asked to move from his present post in compliance with the impugned order. This shall be done most expeditiously.

Thus the O.A., is disposed of at the admission stage.


H. RAJENDRA PRASAD,
MEMBER (A)

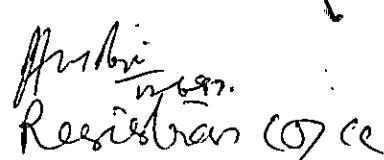
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Date: 9-6-1997

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Dictated in open Court.

sss.


Deputy Registrar Office

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O.A.700/97.

To

1. The Chairman, Telecom Commission,
New Delhi.
2. The Chief General Manager, A.P.Telcom,Circle,
Hyderabad.
3. The General Manager, Telecom, Rajahmundry.
4. The ~~Gen~~ Telecom Dist.Engineer, Adilabad,
Adilabad Dist.
5. The General Manager, Telecom, Warangal.
6. One copy to Mr.K.Lakshminarasimha, Advocate, CAT.Hyd.
7. One copy to Mr.V.Bhimanna, Addl.CGSC.CAT.Hyd.
8. One copy to HHRP.M(A) CAT.Hyd.
9. One copy to D.R.(A) CAT.Hyd.
10. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 9 - 6 - 1997

ORDER/JUDGMENT

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

in
C.A. No. 700/97

T.A. 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.

Now adjourned to 22

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केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

DESPATCH

23 JUN 1997

हृदयवाद न्यायपरिषद
HYDERABAD BENCH