

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

O.A. 993/97

Date of decision: 4.8.97

Between:

DR. A.S.Rao

... Applicant

And

1. Union of India rep. by
Secretary,
Ministry of Health, & Family
Welfare,
New Delhi.

2. Additional Director,
C.G.H.S.,
Begumpet, Hyderabad.

3. Dr. S.Ram Reddy,
Medical Officer (AY),
O/o Additional Director,
C.G.H.S., New Delhi. ... Respondents

Shri K.Sudhakar Reddy ... Counsel for applicant

Shri N.R.Devaraj, SCGSC ... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

O R D E R

Heard Mr. K.Sudhakar Reddy for the applicant and
Mr. N.R.Devaraj, SCGSC, for the respondents.

2. The applicant is posted as Sr. Medical Officer (AY) in C.G.H.S., Begumpet, and has been working in this post for nearly 11 years prior to which he was at Allahabad for a short spell. He has now been transferred to Delhi in public interest. The same impugned order indicates the posting of Respondent-3 in the place of the applicant. The transfer of the respondent-3 is at his own request.

3. It has been stated on behalf of the applicant that he has certain personal problems which make it extremely

Q/H/6

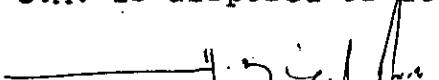
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difficult for him to move out of the present station. The problems are stated to be ^{related to} the acute sickness of his wife and the (college) education of his daughter. Although many arguments were advanced on behalf of the applicant, I do not consider it necessary to go into them since the impugned order contains what is essentially an administrative decision of a routine nature. There is neither any scope nor any warrant to interfere in this case.

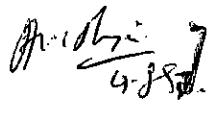
4. The applicant states that the abrupt issuance of the impugned order has prevented him from making a proper representation. He would like to do so now. In view of the plea advanced the applicant is permitted to make a representation within one week from today explaining the difficulties to his superiors. Respondent-2 shall forward the representation to Respondent-1 on the day it is received in her office. Respondent-1 shall take an appropriate decision on merits within two weeks from the date of receipt of such representation from the applicant through R-2.

5. The applicant states that he is on duty and has not been relieved so far. It is not known whether R-3 has been relieved. Considering the pleadings and circumstances as mentioned in the OA, the relief of the applicant shall be deferred until such time that a suitable decision is taken by R-1 in the manner indicated above. If, however, R-3 has been relieved before today, and if he reports at C.G.H.S., Hyderabad, he may not be prevented from joining and the applicant in such a situation shall have to apply for a short leave until such time a decision is taken by R-1.

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


(H. Rajendra Prasad)
Member (Administrative)

4th August, 1997


DR/4-187
DR/

3.3.3

Copy to:

1. The Secretary, Min. of Health and Family Welfare,
Nirman Bhavan, New Delhi.
2. The Additional Director, Central Govt. Health Scheme,
Kendriya Swasthya Bhavan, Begumpet, Hyderabad.
3. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT, Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.
7. one copy to HHM&R (A).

YLKR

C COURT

C.C. today

TYPED BY

CHECKED BY

COMPARED BY

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: 5 - 8 - 1997

ORDER/JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No. 993/97

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.

pvm

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
देशभर/DESPATCH

6 AUG 1997

हैदराबाद न्यायालय
HYDERABAD BENCH