

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

ORIGINAL APPLICATION NO. 180/00484/2018

Thursday, this the 7th day of June, 2018

CORAM

**HON'BLE MR. U. SARATHCHANDRAN, JUDICIAL MEMBER
HON'BLE MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER**

Ashik P.P.
S/o Sri Agam Khalid aged 41 years
Inspector of Police, Station House Officer,
Minicoy Police Station,
Union Territory of Lakshadweep,
presently presiding at Padippura House, Kavaratti Island
Union Territory of Lakshadweep, Pin 682 555.

... **Applicant**

[By Advocate Mr. Antony Mukkath]

V.

1. Superintendent of Police,
Police Headquarters,
Kavaratti,
Union Territory of Lakshadweep, Kavaratti,
Pin 682 555.
2. Administrator,
Union Territory of Lakshadweep, Kavaratti,
Pin 682 555.
3. R.M. Aliakber,
Inspector of Police, Station House Officer,
Kavaratti Police Station,
Union Territory of Lakshadweep, Kavaratti,
Pin 682 555.

..... **Respondents**

(By Advocate Mr.S.Manu)

This application having been finally heard on 7.6.2018, the Tribunal on the same day delivered the following in the open court.

ORDER (ORAL)

Per: E.K. Bharat Bhushan, Administrative Member:

We have heard Mr. Antony Mukkath, learned counsel for the applicant and the learned counsel appearing for the Lakshadweep Administration.

2. Mr.Antony learned counsel submits that the transfer of the applicant from his present station of Minicoy to Androth Police Station is to the detriment of

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the applicant. He is stated to be suffering from serious health issues that necessitated a stem cell transplant and is under medical review. Certificates to this effect issued by the Amritha Institute of Medical Sciences and Research Centre Kochi has been annexed as Annexure A.2 and A.3.

3. Learned Standing Counsel appearing for the Lakshadweep Administration has pointed out that this transfer is absolutely necessary and is a part of a general transfer order and ought not to be disturbed. He further strongly pointed out that all factors have been already taken into account while issuing this order.

4. However, we feel at this point, considering the fact that the applicant has already submitted an appeal as per Annexure A.7 to Respondent No.2, it would be in the fitness of things, to direct the said respondent to consider and dispose of the said appeal as expeditiously as possible. We also direct that the applicant is not to be relieved from his present station until disposal of the said appeal.

3. O.A. stands disposed of on the above terms *in limine*.

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

(U.SARATHCHANDRAN)
JUDICIAL MEMBER

sj

List of Annexures

- Annexure A-1 - Photocopy of the Order F.No.1/7/92-(Estt) POL dated 15.09.2016 of the 1st respondent.
- Annexure A.2 - Photocopy of the Medical Certificate dated 09.08.2016 issued by Dr. Neeraj Sidharthan, Clinical Associate Professor, Amritha Hospital, Cochin.
- Annexure A.3 - Photocopy of the Certificate dated 19.08.2016 issued by the Amrita Institute of Medical Science and Research Centre, Cochin.
- Annexure A-4 - Photocopy of the Certificate dated 31-05-2018 of Dr. K.T. Mohammed.
- Annexure A-5 - Photocopy of the Draft Transfer Policy F.No.12/03/2012 Services dated 22-02-2012 of the Director (Services), Kavaratti Island
- Annexure A-6 - Photocopy of the Order F.No.1/7/92-Estt(POL) dated 01.06.2018
- Annexure A-7 - Photocopy of the representation dated 01.06.2018 of the applicant to the 2nd respondent.
- Annexure A-8 - Photocopy of the Order F.No.10/05/2006-POL dated 29-12-2006 of the 2nd respondent.

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