

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00592-00593/2018

DATED THIS THE 19TH DAY OF JULY, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

1. A.A. Bagaban
S/o Annusaheb,
Aged about: 57 years,
Working as Office Superintendent,
O/O G.M.T. BSNL,
AO (A&P) Section,
Pinto Road,
Hubbli,
R/at No. 13B, Anandanagar Road,
Hubli – 580 024.

2. D.R. Ghalagi,
S/o Ramachandra,

Age: 57 years,
Working as O/S,
Office of SDE, Gokul Road,
Hubli – 580 024
R/at Swamy Krupa,
By Tagi, 52/F,
1st Main, 4th Cross,
Dharwar – 580 037

.....Applicants

(By Advocate Shri M.R. Achar)

Vs.

1. The Managing Director and
Chairman,
Bharath Sanchar Nigam Ltd,
Mathur Line,
New Delhi – 110 001.

2. The Chief General Manager Telecom,
BSNL, Karnataka Telecom Circle,
Bangalore – 560 008

3. The General Manager,
Dharwad Telecom District,
Sanchara Sadana,
Near Railway Station,
Hubli – 580 020

....Respondents

(By Shri B. Vishnu Bhat, Senior Panel Counsel)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Reply taken on record. The applicants allege malafide in transferring them to a place which is about 80-100 kilometres away from the present place of posting. They would say that according to the transfer guidelines after the age of 56 they cannot be transferred. We accept his view.

2. Therefore we will issue a conditional order. If, as on the date of the transfer order the applicants had already completed 56 years, then they will be allowed to stay wherever they are. If it is before the completion of 56 years then the applicants will go and join the transferred place. This is to be done in accordance with the service records of both the applicants. The respondents shall look into the matter afresh in another 3 days' time and issue the movement orders or whatever it is. But that relief will have a prospective meaning because we are issuing a conditional order now. We will grant 3 days' time for the respondents to look into the service records and intimate the applicants as to whether they have to go or stay.

3. The OA is disposed off as above. No order as to costs.

(DINESH SHARMA)

(DR.K.B.SURESH)

MEMBER (A)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00592-00593/2018

Annexure A1 Copy of the transfer order dated 28.03.2018

Annexure A2 Copy of the representation dated 26.05.2018

Annexure A3 Copy of the representation dated 04.06.2018

Annexure A4 Copy of the transfer guidelines dated 01.03.2018

Annexure A5 Copy of the Endorsement dated 11.06.2018

Annexure A6 Copy of the appeal memo dated 20.06.2018 by A1

Annexure A7 Copy of the appeal memo by A2 dated 20.06.2018

Annexures with Reply Statement

Nil

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