

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD**

OA/020/22/2018

Date of Order : 25.04.2018

Between:

O.Y. Rajasekhar Reddy,
S/o. Late O.Y. Rama Swamy Reddy,
Aged about 50 years,
Occ: Senior Social Security Assistant (under transfer),
O/o. Regional PF Commissioner,
Regional Office, Guntur.
R/o. 42/477-44, Upstairs,
NGO Colony, 6th Line West,
KADAPA.

..... Applicant

AND

1. Union of India rep. by
The Central PF Commissioner,
Head Office, EPF Organization,
14, Bhikaji Cama Place,
New Delhi.
2. Regional PF Commissioner,
EPF Organization, Regional Office,
3rd Lane Krishna Nagar, Guntur.
3. The Additional Central PF Commissioner,
Zonal Office (AP & TS),
Hyderabad, T.S.
4. The Regional PF Commissioner-II,
Regional Office, EPF Organization,
Kadapa.
5. The Regional PF Commissioner,
Regional Office, EPF Organization,
Warangal.

..... Respondents

Counsel for the Applicants : Mr. M.V. Krishna Mohan
Counsel for the Respondents : Mr. G. Jaya Prakash Babu,
SC for E.P.F.

CORAM :

THE HON'BLE MR.JUSTICE R.KANTHA RAO, JUDL. MEMBER
THE HON'BLE MRS. MINNIE MATHEW, ADMN. MEMBER

ORAL ORDER

{ Per Hon'ble Mr.Justice R. Kantha Rao, Judl. Member }

Heard Mr. M.V. Krishna Mohan, learned counsel appearing for the Applicant and Mr. G. Jaya Prakash Babu, learned Standing Counsel appearing for the Respondents.

2. The O.A. is filed to set aside the transfer order No.AP/ HYD/ ZO (AP & TS)/ KF/ VIG CASE/ 2017/83 dated 25.7.2017 along with letter No.AP/ RO/ KDP/ ADM-II/ OYRR/ 2017160 dated 28.8.2017 transferring the Applicant to Warangal RO and consequently direct the respondent authorities to retain the Applicant at RO, Kadapa.

3. While the Applicant was working as Senior Social Security Assistant, Regional Provident Fund Commissioner, Regional Office, Guntur, a criminal case was registered against him and four others. On account of the registration of the said criminal case, the Applicant was placed under suspension by order dated 31.10.2016 and the same was extended by 180 days. Subsequently, by order dated 25.7.2017, the order of suspension was revoked w.e.f 28.7.2017. While revoking the suspension, the Applicant was posted to Regional Office, Warangal. The Applicant filed the present O.A. contending that he was not involved in any criminal case. He made a representation to the Respondents to re-consider his case for retention at Kadapa. The same is pending with the Respondents.

4. Reply filed by the learned Standing Counsel across the bar is taken on record.

5. Having gone through the submissions made by the learned counsel on either side, we are inclined to dispose of the O.A. with a direction to the Respondents to re-consider the case of the Applicant for retention at Kadapa.

5. Consequently, the Applicant is directed to submit a fresh representation to the 3rd Respondent making all his submissions for re-considering his transfer and to retain him at Kadapa with all the required documents and on receiving the said representation, the 3rd Respondent is directed to pass appropriate orders, taking into account the submissions made by the Applicant in the said representation, within a period of six weeks from the date of receipt of a copy of the order.

6. It is made clear that if the request of the Applicant is not acceded to by the 3rd Respondent, the Applicant is at liberty to challenge the rejection order by filing a fresh O.A. The O.A. is accordingly disposed of without going into the merits of the case. No order as to costs.

(MINNIE MATHEW)
ADMN. MEMBER

(JUSTICE R.KANTHA RAO)
JUDL. MEMBER

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