

OA.No.170/00296/2019/CAT/BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00296/2019

DATED THIS THE 12TH DAY OF JUNE, 2019

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

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

Sri P. Arun Kumar, 56 years,
S/o Sri A. Periasamy,
Deputy Labour Welfare Commissioner (C)
515 Army Base Workshop,
Halasuru Post,
Bengaluru: 560 008
Residing at No. 7,
Apparao Lane, Halasuru,
Bengaluru: 560 008
(By Advocate Shri P.A. Kulkarni)

..... Applicant

Vs.

1. Union of India,
To be represented by Labour Secretary,
Ministry of Labour & Employment,
Sharam Shakti Bhawan,
Rafi Marg,
New Delhi 110 001

2. Commandant,
515 Army Base Workshop,
Halasuru,

Bengaluru 560 008

3. Sri L. Venkatasubramaniam,
Aged: 59 years,
Assistant Labour Welfare Commissioner (C)
Controllerate of Quality Assurance (CQAL)
(Ministry of Defence),
J.C. Nagar, Near Mekri Circle,
Bengaluru 560 006

....Respondents

(By Shri Gajendra Vasu, Counsel for Respondent No. 1 & 2 and
Shri K. Hanifa, Counsel for Respondent No.3)

O R D E R (ORAL)

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

In this matter, reply is filed today by Respondents 1 and 2. Applicant has four more years to go for his retirement and has requested for transfer to Chennai due to the fact that his wife works with the State Government there and his son is studying there. The respondents point out besides having four more years of service, the applicant has not completed his tenure of at least 4 years at Bangalore whereas the 3rd respondent had been newly promoted and has been transferred to Chennai and has only one more year to go. Within the last two years of his service, he is eligible to have a favourable transfer. We think that there need not be any reasonable objection for this arrangement being made and therefore we issue a mandate to allow the 3rd respondent to join in Chennai.

2. But then, there is no impediment in the applicant also being considered for a transfer to Chennai once the 3rd respondent retires or any other vacancy arises and none other than the applicant is available with better qualification.

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

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00296/2019

Annexure-A1: Copy of the policy guidelines dated 30.01.2014

Annexure-A2: Copy of the applicant's representation dated 28.01.2019

Annexure-A3: Copy of the forwarding letter dated 01.02.2019

Annexure-A4: Copy of the DoPT OM dated 30.09.2009

Annexure-A5: Copy of the impugned transfer order dated 28.02.2019

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