

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00460/2019

Tuesday, this the 2nd day of July, 2019.

CORAM:

**HON'BLE Mr. E.K. BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr. ASHISH KALIA, JUDICIAL MEMBER**

S. Sumith, 33 years,
D/o. Suresh, Junior Hindi Translator,
O/o. The Principal Director of Audit (Central) Chennai,
Branch Office, Kochi – 682 017.
Residing at H. No. 4/1159, North Cherlai,
Cochin – 682 002.

- Applicant

[By Advocate Mr. Anoop V. Nair]

Versus

1. Union of India represented by
The Comptroller and Auditor General of India,
9, Deen Dayal Upadhyay Marg, New Delhi – 110 124.
2. The Accountant General (G&SSA), Kerala,
Trivandrum – 695 033.
3. The Principal Director of Audit (Central) Chennai,
Lekha Pariksha Bhavan, 361, Anna Salai,
Teynampet, Chennai – 600 018.
4. The Assistant Comptroller & Auditor General (N),
O/o. The Comptroller & Audit General of India,
9-DDU Marg, New Delhi – 110 124.
5. The Deputy Director (CS/CX) II,
Branch Office of the Principal Director of the Audit
(Central) Chennai, Golden Jubilee Road,
Kaloor, Cochin – 682 017. - Respondents

[By Advocate : Mr. Vineeth Komalachandran for Mr. K.I. Mayankutty Mather]

The application having been heard on 02.07.2019, the Tribunal on the same day delivered the following:

O R D E R**Per: E.K. Bharat Bhushan, Administrative Member**

Heard the learned counsel for the applicant.

2. The applicant had approached this Tribunal on more than one occasion on the plea of transfer out of Kerala. Subsequently, it is seen that she had opted for a promotion posting to Mumbai and still later informed the authorities that she was taking back that option given for transfer and would like to remain in Kerala declining the promotion as per Annexure A-8.

3. Learned counsel for the applicant submits that the main reason for wanting to remain in Kerala, declining her promotion, is in order to take care of her aged mother. Applicant herself is a single woman and the learned counsel for the applicant submits that there is no one else to take care of her mother.

4. We feel that the O.A can be disposed of at this stage by directing the applicant to file a representation with all details before the 4th respondent seeking reconsideration of the transfer/promotion order. The representation is to be filed before the 4th respondent within one week from today through proper channel. Thereupon, 4th respondent will consider and take a view of the same within the shortest time

possible. Pending final consideration of her representation, the applicant may be allowed to remain in her present post as Junior Hindi Translator in Kerala. The O.A is disposed of as above. No order as to costs.

(Dated, 2nd July, 2019.)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K. BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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Applicant's Annexures

Annexure A-I - True copy of the Transfer order issued by the 1st respondent dated 28.05.2018.

Annexure A-II - True copy of the order dated 02.03.2018 passed by this Hon'ble Tribunal in O.A. No. 225 of 2018.

Annexure A-III - A true copy of the order dated 25.05.2018 issued by the 1st respondent's office to the applicant.

Annexure A-IV - True copy of the interim order dated 30.05.2018 passed by this Hon'ble Tribunal in O.A No. 476 of 2018.

Annexure A-V - True copy of the order dated 11.09.2018 passed by this Hon'ble Tribunal in O.A No. 476 of 2018.

Annexure A-VI - True copy of the transfer policy issued by the 1st respondent dated nil.

Annexure A-VII - True copy of the option submitted by the applicant dated 27.05.2019 for transfer of Senior Translators.

Annexure A-VIII - True copy of the revised draft transfer/posting policy dated 15.04.2019 issued by the 1st respondent.

Annexure A-IX - True copy of the representation dated 03.06.2019 submitted by the applicant.

Annexure A-X - True copy of the representation dated 25.06.2019 submitted by the applicant.

Annexure A-XI - True copy of the order issued by the 1st respondent's office transferring the applicant to the office of Director General of Audit, Western Railway, Mumbai dated 28.06.2019.

Annexure A-XII - True copy of the medical certificates which certifies the disease suffered by mother and the details of the disease undergone by the mother.

Annexures of Respondents

NIL
