

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.21/417/2017 & MA No.304/2018

Date of Order: 07.06.2019

Between:

G. Ramudu, S/o. late G. Narsaiah,
Aged about 55 years,
Occ: Sub Divisional Engineer (OP & Cellone),
O/o. Principal General Manager Telecom District,
Mahabubnagar District, Telangana.

... Applicant

And

1. The Bharat Sanchar Nigam Limited,
Rep. by its Chairman cum Managing Director,
BSNL Corporate Office, Barakumba Road,
Statesman House, New Delhi -1.
2. The Assistant General Manager (Pers.II),
Corporate Office, BSNL, Personnel-II Section,
Bharat Sanchar Bhawan, 4th Floor, Janpath,
New Delhi – 110 001.
3. The Chief General Manager,
Andhra Pradesh Telecom Circle (BSNL),
BSNL Bhavan, Chittugunta, Vijayawada-4.
4. The Chief General Manager,
Telangana Telecom Circle (BSNL),
Door Sanchar Bhavan, Nampally Station Road,
Abids, Hyderabad – 500 001.
5. The Principal General Manager,
Telecom District, Mahabubnagar,
Mahabubnagar District, Telangana.

... Respondents

Counsel for the Applicant ... Dr. A. Raghu Kumar

Counsel for the Respondents ... Mrs.A P. Lakshmi, SC for Rlys

CORAM:

Hon'ble Mr. Justice L Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER
{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}

The applicant is working as Sub Divisional Engineer (for short “SDE”) in BSNL. Through an order dt. 24.05.2017, he has been transferred from AP Circle to Calcutta Telecom District (for short “CTD”). The same is challenged in this OA.

2. The applicant contends that though there are several SDEs working in the AP Circle for longer spells, he has been chosen for the transfer. It is also stated that, initially, one Mr. G. Ravindra Reddy was transferred and when he objected to the transfer, that was cancelled, and in his place, the applicant has been chosen for transfer to Calcutta. Other grounds are also pleaded.

3. The respondents filed a counter affidavit opposing the OA. It is stated that the transfer was effected, duly taking into account, the nature of duties and the tenure of the employee at the present station, and that no interference is warranted. It is also mentioned that in identical situation, when an order dated 09.11.2017 was passed by this Tribunal in OA No. 748/2016, the same was suspended by the Hon'ble High Court of Judicature at Hyderabad in WP No.10122/2018, vide its order dated 29.03.2018.

4. We heard Mr. B. Pavan Kumar, learned proxy counsel representing learned counsel for the applicant and Mrs. A.P. Lakshmi, learned Standing Counsel for the respondents.

5. The ground urged by the applicant is that he has been chosen for transfer even while others, who are continuing for a longer period, are retained. However, except making such a vague allegation, the applicant is unable to demonstrate the same. Further, the tenure of the applicant at the present station is said to be very long and he became ripe for transfer. SDE is an all India category post, and officers of such high calibre are required to serve at any place in the country, depending on the workload. When an order of stay was passed by this Tribunal in a similar case being OA No. 748/2016, the Hon'ble High Court of Judicature at Hyderabad suspended the same by mentioning various reasons. It was observed that the administrative exigencies would dictate as to how transfers should be affected and the courts would be slow to interfere with the transfer orders.

6. We do not find any merit in the OA and accordingly, dismiss the OA. Interim order dt.31.05.2017 is vacated and accordingly, the MA 304/2018 stands disposed of. The applicant is, however, granted three weeks time to report at the new place. We also make it clear that it would be open to the applicant to make a representation expressing his grievance, but that shall be after his reporting at Kolkata.

7. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

(Dictated in open court)

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