

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00083/2019

DATED THIS THE 23RD DAY OF JULY, 2019

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

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

Sri Revanasiddappa G.M.
S/o Gadadar Mallappa,
Aged about 38 years
Occ: Jr. Intelligence Officer-II/MT
(Motor Transport)
O/o Subsidiary Intelligence Bureau
(MHA) Govt. Of India,
8th Floor, BMTC Building, 6th Block,
80 Ft Road, Koramangala,
Bangalore 560 034
(By Advocate Shri P.S. Malipatil)

..... Applicant

Vs.

1. The Joint Director,
Subsidiary Intelligence Bureau
(SIB), MHA Govt. of India,
No. 25, Infantry Road,

Bangalore 560 025

2. The Joint Deputy Director/Administration

No. 3, EST/2019 (3)170,

Subsidiary Intelligence Bureau

MHA Govt. of India,

No. 25, Infantry Road,

Bangalore 560 025

3. The Director,

Intelligence Bureau,

Ministry of Home Affairs,

Govt. of India,

North Block, New Delhi

....Respondents

(By Shri K. Dilip Kumar, Counsel for the Respondents)

O R D E R (ORAL)

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

Learned counsel for the applicant is not present even today. The matter is in a very small compass. Applicant challenges his transfer on the ground that he is covered by a medical certificate which says that on 01.10.2014 he is suffering from fracture of clavicle lateral end left. In other words, there may be a fracture on the lateral left side of the clavicle and for that strapping was done. He was advised rest for 22 days. Now all that had been over. It appears that there is an Inquiry Report about the applicant and it finds that applicant is a habitual rash driver and the injury was the result of

such rash driving. But apparently it was not able for the respondents to prove that at the time when the accident happened applicant had been driving rashly.

2. However, that may not be very germane now as the applicant has filed a memo for withdrawal but praying for a liberty for any other order to be passed by the respondents on a future cause of action.

3. Quite obviously we cannot grant an anticipatory order finding that the respondents may pass any other order against him but then we accept the memo for withdrawal and dismiss the OA. The OA is dismissed as withdrawn. 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. 170/00083/2019

Annexure-A1: Copy of the medical certificate dated 01.10.2014

Annexure-A2: Copy of the MLC discharge card dated 27.12.2015

Annexure-A3: Copy of the transfer order dated 30.11.2016

Annexure-A4: Copy of the joining report dated 12.12.2016

Annexure-A5: Copy of the report dated 21.01.2017

Annexure-A6: Copy of the order dated 18.05.2017

Annexure-A7: Copy of the order dated 27.02.2019

Annexure-A8: Copy of the letter dated 19.01.2018

Annexure-A9: Copy of the medical certificate dated 31.01.2018

Annexure-A10: Copy of the order dated 31.01.2018

Annexure-A11: Copy of the memorandum dated 16.01.2019

Annexure-A12: Copy of the representation dated 19.01.2019

Annexure-A13: Copy of the medical certificate dated 18.01.2019

Annexures referred in reply statement

Annexure-R1: Copy of the Medical Board Examination in respect of the applicant dated 06.03.2018

Annexure-R2: Copy of the communication dated 25.01.2019

Annexure-R1: Copy of the transfer order of the applicant dated 28.02.2019

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