

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

OA/021/482/2019

Dated: 24.05.2019

Between:

R. Surender,
S/o. Venkatramaiah,
Aged about 55 years, Group-A,
Occ: Deputy Controller of Communication Accounts,
O/o Principal Controller of Communication Accounts,
Sanchar Lekha Bhawan, Chikkadpally,
Hyderabad.
R/o. 1-9-315, 315/1/ 316 Deccan Crecent Heights,
Flat No.402, Vidya Nagar, Hyderabad.

í Applicant

A N D

1. Union of India rep. by its
Secretary to Govt. of India,
Ministry of Communications,
Dept. of Telecommunications,
Sanchar Bhawan, 20, Ashoka Road,
New Delhi ó 110 001.
2. Union of India rep. by its
Member (Finance),
Ministry of Communications,
Govt. of India,
Dept. of Telecommunications,
Sanchar Bhawan, 20, Ashoka Road,
New Delhi ó 110 001.
3. Union of India rep. by its
Director (SEA),
Ministry of Communications,
Govt. of India,
Dept. of Telecommunications,
Sanchar Bhawan, 20, Ashoka Road,
New Delhi ó 110 001.
4. The Controller of Communication Accounts,
Andhra Pradesh,
Government of India,
Department of Telecommunications,
Sanchar Lekha Bhawan, Chikkadpally,
Hyderabad.

... Respondents

Counsel for the applicant : Mr. J. Sudheer
Counsel for the respondents : Mrs. K. Rajitha, Sr. CGSC

CORAM:

Hon'ble Mr. V. Ajay Kumar, Member (J)

ORAL ORDER

[Per Hon'ble Mr. V. Ajay Kumar, Member (J)]

Heard Sri J. Sudheer, learned counsel appearing for the applicant and Smt. K. Rajitha, learned Senior Standing Counsel for the respondents, on receipt of advance Notice.

2. The applicant, who is a Deputy Controller of Communication Accounts under the respondents, filed the O.A. challenging the impugned Annex.A-II transfer order dated 21.02.2019 in transferring him from Hyderabad to New Delhi.

3. It is submitted that the applicant, immediately after issuance of the impugned transfer order, made Annex.A-III representation dated 27.02.2019, bringing to the notice of the respondents his personal difficulties as well as various rules governing the transfers of officers of the respondents and requested for cancellation of the transfer order and his retention at Hyderabad. It is also submitted that the respondents, instead of passing any order on the representation of the applicant, have relieved the applicant on 20.05.2019 in pursuance of the impugned transfer order.

4. Learned counsel for the applicant, while drawing our attention to the various submissions made in the O.A., submits that the transfer order is illegal, arbitrary and is liable to be quashed.

5. On the other hand, Smt. K. Rajitha, learned Senior Standing Counsel appearing for the respondents opposed the O.A. on various grounds. She mainly submitted that once the applicant was relieved in pursuance of the impugned transfer order, this Tribunal cannot interfere with the same.

6. In the circumstances, the O.A. is disposed of without going into the merits of the case, by directing the respondents to consider the Annex.A-III representation dated 27.02.2019 of the applicant duly keeping in view the various submissions made in the O.A and pass appropriate reasoned and speaking orders thereon in accordance with law, within two weeks from the date of receipt of a copy of this order. Till then, they shall not insist the applicant to join at the new place of posting. Even if the applicant joins at the new place of posting, the same would be without prejudice to his rights. There shall be no order as to costs.

(V. AJAY KUMAR)
MEMBER (J)

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