

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/20/1091/2018

Dated: 06/06/2019

Between

Rajanana Rama Krishna,
S/o. Kannayya, Aged about 52 years,
HRMS 199506902, E.No.14762,
O/o SDE (MGW), Cell One, Velempeta,
Visakhapatnam ó 530 001,
Permanent R/o. H.No.23-88, Gandhinagar,
Near MDO office back side, Yellamanchili (V & M),
Visakhapatnam ó 531 055, Visakhapatnam District,
Andhra Pradesh.

... Applicant

AND

1. Union of India rep. by its
Chairman and Managing Director, BSNL,
Mathura Lane, Janapath,
Connaught Place, New Delhi ó 110 001.
 2. The Chief General Manager, BSNL Bhavan,
Vijayawada ó 520 004, Andhra Pradesh.
 3. The Principal General Manager,
O/o. PGMTD, BSNL, Daba Gardens,
Visakhapatnam ó 530 020, Andhra Pradesh.
 4. The Divisional Engineer (MSC), Cellone,
2nd floor, Telephone Exchange,
Velampet, Visakhapatnam ó 531 001, Andhra Pradesh.
 5. The Sub-Divisional Engineer (MGW),
Cellone, 2nd floor, Telephone Exchange,
Velampet, Visakhapatnam ó 531 001, Andhra Pradesh.
 6. The Sub-Divisional Engineer (HRD),
O/o. GMTD BSNL,
Visakhapatnam ó 530 020, Andhra Pradesh.
 7. The Sub-Divisional Engineer (Gr),
Yellamancili, Visakhapatnam District, Andhra Pradesh.
 8. G. Vemkata Rao, Junior Engineer,
HRMS No199100412, EMP No10390,
O/o SDOT, Yellamanchili,
Visakhapatnam District, Andhra Pradesh.
- ... Respondents

Counsel for the Applicant : Mr. S. Subrahmanyam
Counsel for the Respondents : Mrs. A.P. Lakshmi, SC for Railways

CORAM :

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

Hon'ble Mrs. Naini Jayaseelan, Admn. Member

ORAL ORDER

(Per Honorable Mr. Justice L. Narasimha Reddy, Chairman)

The applicant is working as Junior Engineer in the BSNL. At present, he is working at an office at V. Peta. Another Junior Engineer by name, Sri G. Venkata Rao is working at Yellamanchili. Both of them made request for mutual transfer. Acting upon that, the Sub Divisional Engineer i.e. the 6th respondent herein, passed an order dated 10.10.2018, posting the applicant at Nakkapalli and Sri G. Venkata Rao at V. Peta. However, before the order was implemented in its entirety, the 6th respondent passed an order dated 18.10.2018, cancelling the order dated 10.10.2018. This O.A. is filed challenging the order dated 18.10.2018.

2. The applicant contends that the 6th respondent passed the order dated 10.10.2018, only after being satisfied about the facts and circumstances, and there is no absolutely no basis for issuing the order of cancellation. Various other grounds are also urged.

3. In their counter affidavit, the respondents stated that though the request for mutual transfer was accepted, the issue was reviewed, in view the impending annual rotational transfers and that the applicant cannot be said to have suffered any injustice.

4. We heard Sri S. Subramanyam, learned counsel for the applicant and Smt. A.P. Lakshmi, learned Standing Counsel for the respondents.

5. The order dated 10.10.2018 effecting mutual transfer was cancelled by the 6th respondent on 18.10.2018. Though it cannot be said that any valuable right is accrued to the applicant on account of the order dated 10.10.2018, the respondents ought to have been a bit cautious in handling the entire issue. With the passing of an order of mutual transfer, the concerned employees make their own arrangements.

6. On 23.4.2018, this Tribunal passed an order, observing that the impugned order was passed within a short time after the request for mutual transfer was acceded to, and the entire issue needs to be re-considered. It is not known as to what steps have been taken so far.

7. We, therefore, dispose of the O.A., directing the respondents that in case the situation remains the same even after rotational transfers, an order dealing with the request of the applicant shall be passed within a period of four weeks from the date of receipt of this order. There shall be no order as to costs.

(NAINI JAYASEELAN)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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