

(2021) 05 CAT CK 0023

In the Central Administrative Tribunal

Case No : Original Application No. 181, 00206 Of 2021

Shanavas C.P

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 27-05-2021

Acts Referred:

Citation : (2021) 05 CAT CK 0023

Hon'ble Judges : P.Madhavan, Member (J); K.V .Eapen, Member (A)

Bench : Division Bench

Advocate : M.R. Hariraj, S.Manu, N.Anilkuma

Final Decision : Disposed Of

Judgement

P.Madhavan, Member, J

1. This is an Original Application filed seeking the following reliefs: ""i) To call for the records leading to Annexure A1 and quash the same to the

extend it transfers the applicant.

ii) Alternatively, to direct the respondents to defer the implementation of Annexure A1 in respect of the applicant till 1.10.2021.

iii) Grant such other reliefs as may be prayed for and the court may deem fit to grant, and

iv) To grant the costs of this Original Application.

2. When the case was taken up today for admission hearing, learned counsel for the applicant submits that the applicant has been transferred to

Kavaratti and his wife is in the advance stage of pregnancy. He submits that the applicant wants some breathing time and he has already filed a

representation for posting at Kochi till September 2021.

3. Adv.Mr.S.Manu takes notice on behalf of respondent nos.2 to 4 and Adv.Mr.N.Anilkumar,SCGSC takes notice on behalf of respondent no.1.

4. The counsel for respondent nos.2 to 4 submits that the post at Kochi is not available. Hence, it will not be possible to permit the applicant to continue at Kochi.

5. It appears that the representation submitted by the applicant as Annexure A-3 is pending before the Director. The counsel for the applicant submits that the applicant wants to file a supplementary representation regarding his grievances.

6. In view of the above circumstances, the applicant is directed to file a fresh representation incorporating all his grievances within a period of two weeks from the date of this order and the respondents shall dispose of the same within a period of one month from the date of receipt of such representation, on the basis of rules and regulations on the subject and in the light of the grievances of the applicant and pass a speaking order.

7. Till that time, status quo as on today to be maintained.

8. The Original Application is disposed of accordingly at the admission stage itself. No costs.

List of Annexures

Annexure A1- A true copy of order No.36/2/2014-Estt/Elc/893 dated 24.5.2021

Annexure A2- A true copy of medical certificate dated 25.5.2020 issued by

Dr.Shameena Anvar Sadath, Gynaecologist, in respect of Smt. Beegum Farisa, Wife of the applicant Annexure A3- A true copy of representation

dated 24.5.2021 submitted by the applicant to third respondent