

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 1068/2002

This the 26th day of November, 2002

Hon'ble Shri V.K. Majotra, Member (A)

1. Gonar Rai
Gangman
S/o Shri Jagdish Rai
2. Amarnath
Gangman
S/o Shri Jageshwar
3. Dashrath Lal
Gangman
S/o Shri Sampat
4. Banwari Lal
Gangman
S/o Shri Ram Lakhan
5. Ram Dhani
Gangman
S/o Shri Dhani Nath
6. Shivbali
Gangman
S/o Shri Gajroop
7. Suresh Kumar
Gangman
S/o Shri Kuldeep
8. Sakho
Gangman
S/o Shri Dularu
9. Shankar Prasad
Gangman
S/o Shri Raghu Nandan
10. Sushila Devi
Gangman
D/o Shri Nitya
11. Chotey Lal
Gangman
S/o Shri Ninga
12. Dularey
Gangman
S/o Shri Thakura
13. Aklu
Gangman
S/o Shri Jagdish Rai
14. Sardar Singh
Gangman
S/o Shri Lekh Raj

15. Ram Jivaan
Gangman
S/o Shri Jeer Jodhan

16. Lallu
Gangman
S/o Shri Sukhdev

17. Chabbi Nath
Gangman
S/o Shri Murli

18. Juggay
Gangman
S/o Shri Chairu

19. Suraj Rai
Gangman
S/o Shri Haldhar Rai

20. Sunder
Gangman
S/o Shri Bhagwana

21. Basa
Gangman
S/o Shri Jagmohan

22. Bahadur
Gangman
S/o Shri Ramadheen

23. Ram Kishan
Mate
S/o Shri Balwant Singh

24. Nankoo Ram
Mate
S/o Shri Dasu

25. Chedi Lal
Gangman
S/o Shri Nanhoo Ram

26. Ram Asrey
Mate
S/o Shri Ram Chand

27. Vipat
Mate
S/o Shri Suraj Bali

All applicants are working with the
Office of Deputy Chief Engineer (Construction)
Northern Railway, Patel Nagar
New Delhi-110094.

-Applicants

(By Advocate: Shri S.Mehendi, proxy for
Shri Anis Suhrawardy)

Versus

1. Union of India

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Through its General Manager-Northern Railway
Headquarters Office Baroda House
New Delhi.

2. Chief Administrative Officer
Northern Railway
Kashmiri Gate
Delhi-110 006
3. The Deputy Chief Engineer (Construction)
Northern Railway,
Patel Nagar, Rama Road,
New Delhi-110 015
4. The Executive Engineer (Construction/PTNR)
Northern Railway
Patel Nagar, Rama Road
New Delhi-110 015

-Respondents

(By Advocate: Shri R.P. Aggarwal)

ORDER (Oral)

The applicants have been working in Delhi Division of Northern Railway after regularisation between 1984 and 1997. They have challenged Annexure A-1 dated 23.3.2002 whereby their Headquarter has been shifted from Ghaziabad to Amroha. The learned counsel of the applicants stated that change of the Headquarters in the present case amounts to inter-divisional transfer which would adversely affect applicants' seniority, pay scales and perquisites. If their seniority, pay scales and perquisites are not adversely affected, applicants do not have any objection to Annexure A-1 whereby Headquarters have been changed.

2. On the other hand, learned counsel of the respondents stated that only applicants' Headquarter has been changed from Ghaziabad to Amroha. Both these Headquarters fall in Delhi Division. The transfer in question is not an inter-divisional transfer. As a

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matter of fact since work assigned to the unit where the applicants were working has been completed, applicants' Headquarters had been transferred along with the unit and senior officials like Executive Engineer and Assistant Engineer to Amroha Headquarters and that the applicants will not be deprived of any benefits such as seniority, pay scales, promotions, perquisites etc.

3. In the rejoinder too, the applicants have stated that the applicants are interested in maintenance of their seniority, pay scales, perquisites etc.

4. As order dated 23.3.2002 (Annexure A-1) does not amount to changing the division and for administrative reasons only Headquarters of the applicants have been changed and also when their seniority, pay scales and perquisites are also not being disturbed, there cannot be any valid objection to Annexure A-1.

5. Having regard to the above discussion, the OA is dismissed being devoid of merit. No costs.

V.K. Majotra
(V.K. Majotra)
Member (A)

cc.