

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00255/2019

Date of Order: This, the 8th day of August 2019

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

Shri Amol Ingle Chandrakant, Son of Chandrakant Ingle of
Otr. No. DG 52 B, Railway Traffic Colony, Panbazar, Guwahati
Assam – 781001.

.....Applicant

By Advocate: Sri U. K. Nair, Sr. Advocate
Ms. N. Shyamal

-AND-

1. The Union of India, represented by the Secretary, Ministry of Railways, Government of India, New Delhi – 110006.
2. The Railway Board, represented by its Secretary, Ministry of Railways, Government of India, New Delhi – 110006.
3. The General Manager, N. F. Railway, Maligaon, Guwahati – 781011.
4. The General Manager (Construction), N. F. Railway, Maligaon, Guwahati, Pin – 781011.

.....Respondents

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

On being mentioned by Sri U. K. Nair, Sr. Advocate assisted by Ms. N. Shyamal, learned counsel for the applicant, this matter has been taken up today as unlisted.

The present O.A. has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with the following reliefs:

- “8.1 To set aside and quash the impugned order dated 25.07.2019 (Annexure –A1), insofar as it concerns the applicant.
- 8.2 To direct the respondents to forbear from giving effect to the impugned order dated 25.07.2019 (Annexure –A/1) insofar as it concerns the applicant.
- 8.3 To direct the Respondent authorities to allow the applicant to join his services as XEN/Con/DMV in terms of the orders dated 11.06.2019 and 22.07.2019 (Annexure- A/2 and A/3 respectively).
- 8.4 Cost of the application.
- 8.5 Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case and as may be deemed fit and proper by this Hon'ble Tribunal upon consideration of the matter.

2. Sri U. K. Nair, Sr. Advocate assisted by Ms. N. Shyamal, learned counsel for the applicant submitted that the applicant is a direct recruit Indian Railway Engineering Service Officer (IRSE) belonging to the 2011 batch. The applicant after completion of his training period had joined in N. F. Railway, Guwahati as Assistant Divisional Engineer on 16.06.2014. Subsequently the applicant was promoted to the Senior Scale w.e.f. 19.06.2017 and posted as Divisional Engineer, Guwahati. The applicant since the date of his

initial entry into service, after training, was posted at Guwahati in the Open Line of the N. F. Railway.

3. Learned Sr. Advocate submitted that on completion of more than 5 years of his service in the Open Line, for the first time he was transferred to Construction Organization, vide Office Order bearing No. 22/2019(Engg) dated 11.06.2019. Learned Sr. Advocate further submitted that the Construction Organization on receipt of the copy of the Office Order dated 11.06.2019 from the Open Line, promptly preceded to issue the Office Order No. 51/2019(GZ) dated 22.07.2019. However, subsequently, the respondent authorities vide Office Order bearing No. 28/2019(Engg) dated 25.07.2019 i.e. after 3 days of issuance of the Office Order dated 22.07.2019, cancelled the Office order dated 11.06.2019 that too without assailing any reason. Being aggrieved with the said cancellation order dated 25.07.2019, the applicant made representation dated 05.08.2019 to the General Manager, North East Frontier Railway, Maligaon i.e. respondent No. 3 and requested to revoke the consequential transfer order dated 25.07.2019 and to allow him to join in XEN/Con/DMV. However, the said representation is still pending before the respondent No. 3.

4. I have heard learned counsel for the applicant, perused the papers and documents produced before me. Keeping in view of

the representation, without going into the merit of the case as well as without issuing notice to the respondents, I found that it is a fit case to direct the appropriate authority to consider the pending representation dated 05.08.2019 and dispose of it and pass a reasoned and speaking order within a reasonable period of one month from the receipt date of copy of this order. Till such time, the impugned order dated 25.07.2019 under Office Order No. 28/2019 (Engg) shall not be given effect to. Ordered accordingly.

5. No order as to costs.

**MANJULA DAS
MEMBER (J)**

BD