

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

O.A/21/00106/2019

Date of order : 30.01.2019

Between:

HEMSINGH BANOTH,
S/o.Banoth Mangilal,
aged about 48 years,
Occupation: Chief Workshop Engineer, Group-A,
O/o Principal Chief Mechanical Engineer,
1st Floor, Room No.115, Rail Nilayam,
Secunderabad.

Applicant

A N D

1. Union of India,
Ministry of Railways, Represented by its
Secretary, Railway Board,
Rail Bhavan, New Delhi,
2. Railway Board, represented by
Member, Rolling Stock,
Rail Bhavan, New Delhi,
3. South Central Railway, Represented by
The General Manager, Rail Nilayam,
Secunderabad.

... Respondents

Counsel for the applicant : Mr. M.SRIKANTH

Counsel for the respondents : Mr.S.M.Patnaik,
SC for Railways

C O R A M :

THE HON'BLE MR. JUSTICE R KANTHA RAO MEMBER (J)

THE HON'BLE MRS. NAINI JAYASEELAN, MEMBER (A)

ORAL ORDER

(PER HON'BLE MR. JUSTICE R KANTHA RAO, MEMBER (J))

Heard Mr. M. Srikanth, learned counsel appearing for the
applicant and Mr. S.M.Patnaik, learned Standing Counsel for the
respondents.

2. The applicant is working as Chief Workshop Engineer in the Railways. He was transferred from Hyderabad to RDSO, by the transfer order dated 23.01.2019. One of the grounds on which the transfer order is assailed is that the applicant's son is in XII class and the policy guidelines show that the children of an employee/officer who are studying in XII or XIII standard, shall not be transferred till the end of academic year. However, the applicant submitted representation dated 24.01.2019 stating that he shall be retained in SCR cadre or in SC area till completion of his son's education so as to enable him to ensure his presence which is the crucial stage to provide him better academic career. The said representation is pending before Respondent No.2.

3. Having regard to the facts and circumstances of the case, we are inclined to dispose of the OA without going into the merits.

3. The respondents are, therefore, directed to dispose of the representation submitted by the applicant within a period of eight weeks, taking into consideration the policy guidelines of transfer. Till the disposal of the representation, the respondents shall not relieve the applicant from the present station.

4. With the above directions, the OA is disposed of at the admission stage. There shall be no order as to costs.

(NAINI JAYASEELAN)
MEMBER (A)

(JUSTICE R. KANTHA RAO)
MEMBER (J)