

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA**

LIBRARY

O.A. No. 350/00676/2019

Order dated: 07.01.2020

Coram : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Anupom Dewasi son of Dinabandhu Dewasi
Aged about 42 years, occupation Service at
Presently residing at C/o Dr. Debabrate Saha
Sarada Nagar 3 No. Street, Post Office Amrai,
Durgapur, District Burdwan (West)
West Bengal – 713203.

..... Applicant.

Versus

1. Union of India,
Service through the General Manager,
Eastern Railway, Fairle Place,
Kolkata – 700 001.
2. The Senior Divisional Personnel Officer,
Eastern Railway, Asansol Division, DRM Office,
Drys Dale Road, Mushi Bazar,
Asansol, West Bengal-713301.
3. The Divisional Mechanical Engineer (D&F),
Eastern Railway, Asansol Division,
DRM Office, Drys Dale Road, Mushi Bazar,
Asansol, West Bengal-713301.
4. Senior Section Engineer (Loco)
Eastern Railway, Andal,
District- West Burdwan, West Bengal 713321.
5. The Senior Section Engineer (Loco)
Eastern Railway, Madhupur,
Amtalla Bhera, Jharkhand – 815353.

..... Respondents.

For the applicant : Mr. A.Chakraborty, Counsel

For the respondents : Mr. S.Chatterjee, Counsel

ORDER (Oral)

Bidisha Banerjee, Judicial Member

Heard Ld. Counsels for both the parties.

2. The applicant has preferred this O.A. to seek the following reliefs:

- "i) Order No. EL/LP(Goods)/C.Case/OA/2019 dated 26.04.2019 issued by the Senior Divisional Personnel Officer, Eastern Railway, Asansol Division, cannot be sustained and as such same may be quashed.
- ii) The transfer advise being no. E/17/2018 forwarded against the applicant by respondent no. 4 to respondent no.5 is not tenable in the eye of law and as such the same may be quashed.
- iii) An order do issue directing the respondent to take appropriate steps for posting of the applicant at his earlier place of posting under respondent no.4 at Andal, at an early date
- iv) Costs and incidentals.
- v) Such further order/orders and direction/directions as your Lordships deem fit and proper."

3. The applicant was transferred to Madhupur from Andal on administrative ground on 27.06.2018 where he joined on 04.07.2018. Subsequently, he preferred representation on 28.12.2018 requesting to transfer him back to Andal. Pursuant to a direction in O.A. No. 212/2019, filed by the applicant, his representation was considered but the same was rejected vide Speaking Order dated 25.04.2019 (Annexure-A/5).

4. It is noted from the Speaking Order dated 25.04.2019 that the rejection is because the applicant had not annexed the medical certificates regarding treatment of his daughter and parents to support his prayer for his transfer back to the original place from where he was transferred out.

5. Ld. Counsel, at hearing, would seek liberty to prefer a comprehensive representation to the respondent authorities to place and to seek consideration of his grievance in the light of medical certificates issued to his daughter.



6. In view of the above, the O.A. stands disposed of with liberty to the applicant to prefer a comprehensive representation before the competent respondent authority within a period of 10 days from the date of receipt of a copy of this order and after receipt of such representation the respondent authority is directed to consider and dispose of the same with a reasoned and speaking order within a further period of four weeks therefrom. It is made clear that we have not gone into the merits of the matter and all the points to be raised in the representation shall be considered by the respondents.

7. O.A. is accordingly disposed of. No costs.


(Nandita Chatterjee)

Member (A)


(Bidisha Banerjee)

Member (J)

RK