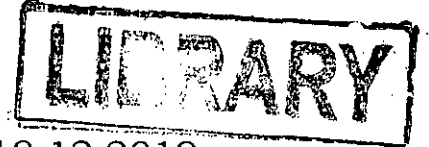


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/80/2019

Date of order: 18.12.2019

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

Sushovan Sarkar, son of late Sudhendu Mohan Sarkar, aged about 51 years, working as Booking Supervisor, Namkhana Railway Station, Eastern Railway, Sealdah Division, residing at C/o. late G. Dutta (Ground Floor), Nirmal Hirday, 35, North Station Road, Post Office – Agarpara, P.S. Khardah, Dist- 24 Parganas (North), Kolkata- 700109.

.....Applicant.

-versus-

1. Union of India, service through the General Manager, E. Rly, Fairlie Place, 17, N. S. Road, Kolkata- 700001.
2. The Chief Commercial Manager, E. Rly., 3 Koilaghata Street, Kolkata- 700001.
3. The Divisional Railway Manager, Sealdah Division, Sealdah, Kolkata- 700014.
4. The Sr. Divisional Commercial Manager, Sealdah Division, E. Rly. Pi- 700014.
5. Sr. Divisional Personnel Officer, Sealdah Division, E. Rly, Pin- 700014.

.....Respondents.

For the Applicant : Mr. B. Chatterjee, Counsel

For the Respondents : Ms. T.Das, Counsel



O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard Id. Counsel for both sides at length.

2. It is the contention of the applicant that he joined place of his transfer at Namkhana in the year of October, 2017. He is aggrieved that the transfer was made on penal ground and in support Id. Counsel would place a statement made in the reply filed by the respondents that the transfer has been made on the basis of complaints made by some lady staff.

3. Ld. Counsel for applicant would draw our attention to the fact that the minor penalty imposed on the basis of such complaints was set aside on the ground that the applicant was not afforded any opportunity before imposition of such penalty and it was on the basis of the same complaints that he was transferred. Therefore, the transfer was for ulterior motive.

4. However, since the applicant has joined the place of transfer in 2017 itself and at present he is aggrieved as many officials have been retained at their preferred places and wishes to agitate on the grounds of dis-crimination meted out to him. Ld. Counsel prays liberty to prefer a comprehensive representation citing the names of such officials who according to him have been favoured by the Administration.

5. Therefore, we permit the applicant to prefer a comprehensive representation to the competent respondent authority citing his grievance and personal problems and names of such officials who have been retained at their places beyond their



tenure, within a period of 4 weeks from the date of receipt of copy of this order.

6. In the event, such representation is preferred the Respondent no. 2 or any other competent authority shall look into the grievance of the applicant, consider it in accordance with law and dispose of it within a further period of one month.

7. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration.

8. With the orders, the OA stands disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)



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