

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Hon'ble Shri Shanker Raju, Member (Judicial)

O.A.No.2344/2001

New Delhi, this the 6th day of September, 2001

Shri Vinod Kumar Passi
working as Enquiry & Reservation Clerk-I
Northern Railway
Hazrat Nizamuddin
New Delhi.

... Applicant

(By Advocate: Shri K.K.Patel)

Vs.

1. Union of India through
General Manager
Northern Railway
Head Quarter Office
Baroda House
New Delhi.

2. The Chief Commercial Manager(G)
Northern Railway
Head Quarter Office
Baroda House
New Delhi.

... Respondents

O R D E R(Oral)

By Shanker Raju, Member (J):

The applicant has assailed an order dated 7.8.2001 wherein it has been decided to transfer him outside Delhi. The applicant by taking resort to the Railway Board's instructions RBE 23/92 stating that in case of physically handicapped candidate and more particularly of Group 'C' and 'D' employee who had been recruited on regional basis, they may be given posting subject to administrative constraints, near their native places within the region. The applicant further states that while issuing the transfer order no administrative exigencies or public interest was involved rather it has been arrived that by way of punitive measure as the applicant is facing enquiry. The applicant against this order has preferred a

- 2 -

(2)

representations dated 13.7.2001 and 27.8.2001 but to no avail. The applicant has approached this Court on emergent basis.

2. In the interest of justice, I deem it proper to dispose of this OA with a direction to the respondents to dispose of the representations of the applicant in view of the aforesaid Railway Board's Instructions within a period of four weeks from the date of receipt of a copy of this order by passing a detailed and speaking order. Till then status-quo as of today in respect of the applicant's transfer be maintained. The OA is accordingly disposed of. No costs.

3. Copy of this order be sent to the respondents 'DASTI'.


(SHANKER RAJU)
MEMBER(J)

/RAO/