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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA-2408/96

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE MR. S.P. BISWAS, MEMBER (A)

New Delhi this the 12th day of November, 1996.

1. Mahipal, S/o Sh. Ram Prasad
2. Suresh Chandra, S/o Sh. Jayavir Singh
3. Ram Prakash, S/o Sh. Durga Prasad
4. Vijay Pal, S/o Sh. Shaya Ram
5. Rattan Kishore, S/o Sh. Lila Singh
6. Dhukhi, S/o Sh. Panna
7. Harkesh, S/o Sh. Ram Singh
8. Kedar Nath, S/o Sh. Tul Ram
9. Hari Ram, S/o Sh. Jeerabar
10. Chatrapal, S/o Sh. Jeet
11. Rasal Singh, S/o Sh. Pathi Ram
12. Ravi, S/o Sh. Ram Adhar
13. Shish Pal, S/o Sh. Dori Lal
14. Ramesh Chandra, S/o Sh. Maharaj Singh
15. Munshi Ram, S/o Sh. Dev Nath
16. Suresh Chandra, S/o Sh. Jhantu Lal
17. Chatra Pal, S/o Sh. Indrapal
18. Basudev Sharma S/o Sh. M. Sharma
19. Mahipal, S/o Sh. Bhramjeet
20. Harkesh Singh, S/o Sh. Kishan Singh
21. Sukhpal, S/o Sh. Bulli Ram
22. Teja Singh, S/o Sh. Karan Chand
23. Sodan Singh, S/o Sh. Shiv Pal
24. Badly, S/o Sh. Buhre Lal
25. Dayanand, S/o Sh. Roop Chand
26. Raghubir Singh, S/o Sh. Virdraavan

...Applicants

(By Advocate Sh. B.S. Mainee)

Versus

Union of India: through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Ferozepur Northern Railway,
Ferozepur.
3. The Divisional Railway Manager,
Northern Railway,
Allahabad,
4. The Assistant Engineer,
Northern Railway,
Jullundhur City.

...Respondents

(By Advocate Sh. H.K. Gangwani)

The application having been heard on 12.11.1996 the Tribunal on the same day delivered the following:

ORDER

Chettur Sankaran Nair (J), Chairman

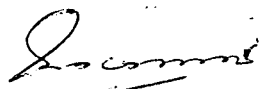
Applicants, Gangmen on the strength of Allahabad Division now working in Ferozepur seek a direction to transfer them back to Allahabad Division. They were transferred to Ferozepur by Annexure A-1 stating:

"Ferozepur Division is facing great difficulty in carrying out track renewal work due to shortage of labour. Chief Engineer has decided that 400 men may be spared by your Division..."

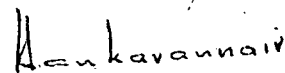
Accordingly applicants and others were spared. We are told that under the relevant rules Gangmen are not liable to inter divisional transfer. Annexure A-1 shows that it was a case of sparing Gangmen of one Division to meet a special contingency that arose in Ferozepur. When there is no liability for inter divisional transfer such transfer should not be resorted to as a matter of course. We are told that applicants, Gangmen have no place to live in and no facilities to enjoy and that they are away from their homes for long. We are also told that several persons similarly situated have been repatriated. We direct respondent General Manager to examine the cases of applicants also and consider them for transfer back

to Allahabad within two months.
Sh. H.K. Gangwani who appeared for respondents
will convey this direction to respondent
General Manager for necessary action.

Dated, 12th November, 1996.



S.P. BISWAS
Member(A)



CHETTUR SANKARAN NAIR (J)
Chairman

'Sanju'