

Central Administrative Tribunal
Principal Bench: New Delhi

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OA 2586/97

New Delhi this the 3rd day of November 1997.

Hon'ble Mr R.K.Ahooja, Member (A)

Hira Ballabh
S/o Sh. Bhagirath
R/o Railway Quarter No.G-3/3
Near West Cabi, Sarai Rohilla
Delhi - 110 005.

...Applicant.

(By advocate: Mr U.Srivastava)

Versus

Union of India through

1. General Manager
Northern Railway
Baroda House
New Delhi
2. The Divisional Railway Manager
D.R.M.Office
Northern Railway
Bikaner.
3. The Assistant Engineer
Delhi Queens Road, 21 Hamilton Road
Delhi.
4. The Section Engineer (P.Way)
Northern Railway
Delhi Sarai Rohilla
Delhi.

...Respondents.

(By advocate: None)

O R D E R (oral)

Hon'ble Mr R.K.Ahooja, Member (A)

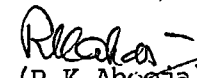
I have heard Mr U. Srivasatav, learned counsel for the applicant on the question of admission. The grievance of the applicant is that he has been transferred on promotion even though the the promotion post was available at his present place of posting. The counsel has also pointed out that the applicant has filed a representation which has been rejected by impugned order at Annexure A-1. Learned counsel submits that the impugned order of rejection of his representation has been issued without considering all the aspects and difficulties of the applicant. He, therefore, submits that the matter can be

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disposed of ^{by} directing the respondents to reconsider the representation taking all aspects into account.

2. I have considered the matter carefully and find no merit whatsoever even for a prima-facie case. The applicant has been transferred on the basis of his promotion. The impugned order also directed the applicant to give a clear refusal application in writing or he shall be relieved from work and sent to promoted place. As no allegation of malafide has been mentioned or policy direction laid down has been violated, I find no basis for entertaining this application. OA is, therefore, dismissed.


(R.K. Ahuja)
Member (A)

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