

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 464 of 1997

(11)

New Delhi, dated the 5th June, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)

Shri Janak Singh,
S/o Shri Bacha Ram,
Care Taker/Watching Khalasi,
Asst. Engineer's Office,
Northern Railway,
Kashmere Gate,
Delhi.

... APPLICANT

By Advocate: Shri A.K.Bhardwaj

VERSUS

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. The Asst. Personnel Officer (C),
Northern Railway,
Kashmere Gate,
Delhi-110006.

3. The Junior Enginner/Works/General,
Northern Railway,
Kashmere Gate,
Delhi-110006.

4. The Divl. Engineer (Works),
Northern Railway,
Hapur, U.P.

... RESPONDENTS

BY Advocate: Shri O.P. Kshatriya

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Heard.

2. Applicant prays for a direction to be
taken on duty under JE/IOW, Northern Railway,
Kashmere Gate and permitted to draw salary
from January, 1997 with interest.

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3. By Chief Administrative Officer's order dated 30.12.96 enclosing a copy of DM's letter dated 20.12.96 it appears that applicant was transferred from Kashmere Gate to Hapur. It further appears that by JE(W)? Hapur's letter dated 21.1.97 (Annexure-A2) the applicant upon reporting for duty at Hapur he was allowed to join but almost immediately thereafter the applicant was sent back to O/G the J.E., Kashmere Gate on the ground that no post of Rs.775-1025 was available in Hapur.

4. On the other hand J.E. Kashmere Gate in his letter dated 21.1.97 (Annexure-R4) to the J.E., Hapur has stated that it is not possible to take applicant back on duty at Kashmere Gate and if there is no post in the appropriate scale available at Hapur his services may be placed in any other office within the Division.

5. In the midst of all this the applicant appears to be going without a post, and without salary since January, 1997.

6. This OA is disposed of with a direction to R-1 (G.M. Northern Railway) to depute a responsible officer of the rank of Sr. DPO to sort out this matter and ensure that the applicant is posted against a proper vacant post in the appropriate scale within one month from the date of receipt of a copy of this judgment and ensure that his legitimate dues from mid January, 1997 onwards are released to him forthwith.

7. In case the applicant has any other cause of action he may pursue the same separately in accordance with procedure prescribed by law.

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8. This OA is disposed of in terms of
paras 6 and 7 above. No costs.

Antelope
(S.R. ADIGE)
MEMBER(A).

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