



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 1508/2020**

**This the 13<sup>th</sup> day of October, 2020**

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

Kiran Yadav  
Staff No. 110132473377  
D/o Sh. Haridwar Yadav  
Working as Station Master,  
SS Ghaziabad  
R/o H. No. 912, Main Market  
Sunder Puri, Vijay Nagar,  
Ghaziabad, UP

...Applicant

(By Advocate: Mrs Meenu Maini )

**VERSUS**

1. Union of India,  
Through General Manager,  
Baroda House,  
Northern Railways,  
New Delhi
2. Divisional Railway Manager  
State Entry Road  
New Delhi-110001
3. Divisional Railway Manager  
Hazaratganj, Sushanpura,  
Lalbagh, Lucknow,  
Uttar Pradesh 226001
4. Smt Jyoti  
D/o  
Staff No. 11010343301  
Working as Station Master

SS Malhaur

...Respondents



(By Advocate: Shri Krishan Kant Sharma)

### **ORDER (Oral)**

#### **Hon'ble Mr. Pradeep Kumar, Member (A):**

The instant applicant is a compassionate ground appointee after unfortunate death of her husband and was posted as Assistant Station Master at Ghaziabad on 30.1.2018, under Delhi Division of Northern Railway. She applied for a mutual transfer with another Assistant Station Master - Ms Jyoti who was posted at Malhaur station of Lucknow Division of Northern Railway. Ms Jyoti is private respondent no. 4 in the instant OA.

2. This mutual transfer request was agreed to by Delhi Division as well as by Lucknow Division and Ms Jyoti has since been relieved by Lucknow Division and had reported to the Delhi Division and she has been posted at Ghaziabad vide orders Dt. 18.09.2019.

3. The applicant pleads that due to her family circumstances, she had already submitted an application on 06.03.2020, not to process her mutual transfer request given earlier. It is pleaded that it was in



the knowledge of SrDOM, Delhi Division, also. The applicant, however, pleads that this was not taken into account and the request was processed and now Ms Jyoti has been posted at Ghaziabad. Bringing out her difficulties, she had requested to be retained at Ghaziabad station of Delhi Division.

The learned counsel for the applicant drew our attention to certain cases wherein even though such mutual transfers requests were agreed to, but when one of the employee requested not to be transferred, this was considered by the Division and both the employees were kept in one Division itself. The applicant also relied upon the judgement in OA-276 of 2008 decided by Ernakulam Bench of tribunal.

4. Matter has been heard.

5. In view of the circumstances brought out, notice be issued to the respondents to submit their reply. Shri Krishan Kant Sharma, learned counsel for respondents, who appears on advance information, accepts notice.

6. At this stage, learned counsel for the applicant, further pleads that applicant will be satisfied in case her request to cancel her mutual transfer and her adjustment preferably at Ghaziabad station or



somewhere in Delhi Division, can be considered and decided by the respondents in a time bound manner. Further, for such duration when the issue is considered and decided, she is prepared to apply and proceed on leave also.

7. In view of the foregoing, the OA is disposed of at admission stage itself, without going into the merit of the case, with a direction to the respondents to decide the request of the applicant for cancellation of her mutual transfer to Lucknow Division, within a period of 15 days, and the decision being advised to the applicant. To enable such a request being considered, the applicant may apply for leave for such duration as is necessary, and on being sanctioned, shall proceed on leave for such duration. No costs.

8. Pending MA also stands disposed of.

**(R.N. Singh)**  
**Member (J)**

**(Pradeep Kumar)**  
**Member (A)**

/ravi/sarita/neetu/