

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/21/672/2020

HYDERABAD, this the 17th day of December, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



Gopal Lal Gupta, S/o. Radheshyam Gupta,
 Aged about 44 years,
 Occ: Station Master, Gr. C,
 Umram Railway Station, Nanded Division,
 South Central Railway, Nanded District.

...Applicant

(By Advocate : Sri B. Pavan Kumar)

Vs.

1. Union of India rep. by its General Manager,
 South Central Railways, Secunderabad.
2. The Chief Operating Manager,
 South Central Railways, Secunderabad.
3. The Chief Personnel Officer,
 South Central Railways, Secunderabad.
4. The Divisional Railway Manager,
 South Central Railways, Nanded Division,
 Nanded.
5. The Divisional Railway Manager (P),
 Jodhpur Division, North Western Railway.

....Respondents

(By Advocate : Sri A. P. Lakshmi, SC for Rlys.)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Admn. Member)

Through Video Conferencing:

2. Original Application is filed in regard to Inter Railway transfer.

3. Brief facts are that the applicant, while working as Station Master in Nanded Division of the respondents organization coming under South Central Railway, applied for Inter Railway transfer to Jodhpur Railway Division of North West Railway. The request was accepted by Jodhpur Division on 15.06.2020. As per Railway Board instructions, “No objection Certificate” issued in respect of Inter Railway request transfers shall be valid for a period of six months. Hence, the applicant has to be relieved within this limitation period, lest the transfer would become invalid. Therefore, the Original Application.

4. The contentions of the applicant are that the Inter Railway transfer has been approved and that it is incumbent on the part of the South Central Railway to relieve him in time.

5. The Respondents, while confirming the approval of Inter Railway transfer, state that the Inter Railway transfer was approved subject to suitable replacement. Besides, there is acute shortage of staff at Nanded Division and therefore, relief could not be considered. Further, respondents submitted that in a similar case, Inter Railway transfer allowed by the Tribunal on 28.11.2018 in OA No.1167/2018, has been stayed by the



Hon'ble High Court of Telangana vide order in WP No.12718/2019 dated 16.06.2019. In view of the stay ordered by the Hon'ble High Court and since the matter has now become sub-judice, Respondents to consider grant of relief sought based on the decision of the Hon'ble High Court in the Writ Petition cited. However, as prayed for by the learned counsel for the applicant, the "No Objection Certificate", issued by the Jodhpur Division shall remain valid till the issue is adjudicated upon by the Hon'ble High Court.

6. With the above direction, the Original Application is disposed of with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/al/evr