

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00550/2020

Jabalpur, this Monday, the 19th day of October, 2020

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER



L.S.Bainada, S/o Shri Ghansiram, aged about 54 years,
 Occupation-Deputy Personnel Officer, Headquarter,
 West Central Railway, Opposite Indira Market,
 Jabalpur, (M.P.) **-Applicant**

(By Advocate – **Shri Manoj Sharma**)

V e r s u s

1. Union of India, through Secretary, Railway Board,
 Rail Bhawan, Raisina Road, New Delhi-110001
2. The General Manager, West Central Railway,
 Opposite Indira Market, Jabalpur (MP)-482001
3. Sanjay Kumar Oswal JS/IRPS, presently posted in the
 office of respondent No.2.
 The General Manager, West Central Railway,
 Opposite Indira Market,
 Jabalpur (MP)-482001 **- Respondents**

(By Advocate – **Shri A.S.Raizada**)

O R D E R(ORAL)

Heard.

2. This application has been filed by the applicant against the impugned order of transfer dated 30.09.2020 (Annexure A-1) whereby the applicant has been transferred from WCR, HQ, Jabalpur to SECR, HQ Bilaspur.



3. From the pleadings the case of the applicant is that the applicant belongs to Indian Railway Personnel Service. The applicant belongs to Rajasthan and few years down the line, is to retire from service. The applicant having certain personnel difficulties/family problems and has a young daughter aged about 10 years studying in 7th standard, in a school at Jabalpur.

4. Due to his personal difficulty the applicant has sought transfer in Northern Railway/North Central Railway/North Western Railway vide application dated 26.06.2020 (Annexure A-2). Pending such application the impugned order has been issued vide order dated 30.09.2020 (Annexure A-1). The applicant has submitted his representation dated 05.10.2020 (Annexure A-3) clearly mentioning the request in his transfer as per Annexure A-2. It has been further submitted by the applicant that the controlling authority of the applicant is the West Central Railway i.e. the Principal Chief Personnel Officer, West Central Railway, who also recommended that applicant be retained in the West Central Railway, Jabalpur.

5. Further ground for challenging the impugned transfer order is that the respondent No. 3 has been transferred from

WCR, HQ, Jabalpur to SECR, Head Quarter, Bilaspur vide order dated 30.12.2019, but he is still working in WCR and has not been relieved till date. It has been specifically submitted by the applicant that his representation has already been rejected by the department twice i.e. on 26.02.2020 and 07.10.2020.



6. At this stage counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide the representation in a time bound manner.

7. Shri A.S.Raizada, learned Standing counsel appears for the respondents and vehemently opposed the prayer of the applicant.

8. I have considered the matter and I am of the view that natural justice will be met if the respondents are directed to decide the representation dated 05.10.2020 (Annexure A-3) in a time bound manner.

9. Resultantly, the competent authority of the respondents are directed to decide the representation dated 05.10.2020 (Annexure A-3), if not already decided within a period of four weeks from the date of receipt of a certified copy of this order.

10. Needless to say that the final order should be reasoned and speaking one and the respondents shall also meet with all the contentions raised in the representation before deciding the matter finally.

11. With these observations the Original Application is finally disposed of at the admission stage itself. Till then the respondents shall allow the applicant to work at WCR, HQ, Jabalpur.

**(Ramesh Singh Thakur)
Judicial Member**

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