



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/00588/2020

Date of order: 28.8.2020

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Pradeep Kumar Ponnangi,
ADMO (Eye),
Adra Divisional Hospital,
South Eastern Railway,
Adra, Purulia,
West Bengal,
Pin – 723121,
Residing at Room No. 06. 02 Transit Rest House,
Officers Colony Adra,
Purulia – 723121.

.... Applicant

- V E R S U S -

1. Union of India,
Service through the Secretary,
Railway Board,
Rail Bhawan,
Raisina Road,
New Delhi – 110 001.
2. The General Manager,
South Eastern Railway,
Having its Office at 11, Garden Reach,
South Eastern Railway,
Kolkata – 700 043.
3. The Principal Chief Personnel Officer,
Having his office at 11, Garden Reach,
South Eastern Railway,
Kolkata – 700 043.
4. The Principal Chief Medical Officer,
Having his Office at 11, Garden Reach,
South Eastern Railway,
Kolkata – 700 043.
5. The Divisional Railway Manager,

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South Eastern Railway,
Adra,
DRM Building,
District – Purulia,
Pin – 723 121.

..... Respondents

For the Applicant : Mr. K.K. Maity, Counsel

For the Respondents : Mr. A. Mitra, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- "(a) An order and/or direction be issued to the concerned respondent authorities to relieve the applicant in terms of the Board's letter dated 20.04.2020 and on the basis of the applications dated 14.5.2020, 02.07.2020 and 20.07.2020 made by the applicant;
- (b) Direction upon the concerned respondent authorities to relieve the applicant from his present place of posting i.e. Railway Divisional Hospital Adra, Purulia, West Bengal, South Eastern Railway to East Coast Railway as the vacancy lies therein.
- (c) And pass such other order or orders and/or direction/directions as your Lordships may deem fit and proper."

2. Heard both Ld. Counsel and examined documents on record. The matter is taken up for disposal at the admission stage.

3. Ld. Counsel for the applicant would submit that the applicant, who is a doctor, is presently holding the post of ADMO at Railway Divisional Hospital at Adra, Purulia under S.E. Railway. The applicant has been repeatedly praying for transfer to East Coast Railway on personal grounds, resulting in transfer order dated 20.4.2020 (Annexure A-7 to the O.A.). As he is yet to be relieved to move to his place of transfer, being aggrieved, the applicant has approached this Tribunal praying for the aforementioned relief.

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4. Ld. Counsel for the respondents would argue that the prayer of the applicant could not be considered as he is the only Eye Specialist at Adra whose service is essential for medical examination of candidates and employees of the Division, besides managing eye patients. Accordingly, prior to his sparing, it is necessary to arrange for a suitable relieving doctor in place of the applicant.

Ld. Counsel for the respondents would also cite Annexure A-5 and A-6 to the O.A. in support.

5. Both Ld. Counsel, however, would agree that the O.A. may be disposed of with a direction upon the competent respondent authority to dispose of his representations at Annexures A-9 and A-10 to the O.A. Accordingly, we would direct the competent respondent authority to dispose of the representations of the applicant after making suitable arrangements to engage a substitute for the applicant at Adra, District - Purulia, S.E. Railway and to abide by the directions of the Railway Board dated 26.11.2019 (Annexure A-11 to the O.A.) in the context of relieving of Railway employees in cases of request transfer.

The respondent authorities are directed to complete the process within a period of 10 weeks from the date of receipt of a copy of this order.

6. With these directions, the O.A. is disposed of. No costs.

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(**Nandita Chatterjee**)
Administrative Member

(**Bidisha Banerjee**)
Judicial Member

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