

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

ORIGINAL APPLICATION No.210/186/2021

Dated this Thursday, the 04th day of March, 2021

**CORAM : DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)**

**Proceeding conducted through video conferencing with
the consent of applicant's counsel.**

Vinod Bhimrao Dhurandhar, Age 45 years,
(Senior Section Engineer/Tele/South East)
Under SSE/Tele/Kalyan, S&T Department, Mumbai Division,
Central Railway (M.S.), Mobile No.9960616749,
Email : vinu2909@rediffmail.com,
Residential Add.: Nanik Residency, C/o Asha tirthe, 1st Floor,
Bharat Gas, Sambhaji Chowk, Ulhasnagar 4,
Distt. Thane (M.S.) Pin 421 004.

- Applicant

(In Person)

Versus

1. Union of India, through Secretary, Railway Board, New Delhi 100001.
2. G.M., Central Railway, CSMT, Mumbai
(Maharashtra State), Pin 400 001.
3. DRM, Central Railway, Mumbai Division, Annexe Building,
Ground Floor, CSMT, Mumbai (M.S.) Pin 400 001.
4. Sr. DPO, Personnel Department, Mumbai Division, Central Railway,
Annexe Building, 2nd Floor, Beside DRM Office,
CSMT Mumbai (M.S.) Pin 400 001.
5. Shri Navin Kumar Singh (Sr. DSTE/CO) S & T Department,
Mumbai Division, Central Railway, 1st Floor, Beside P.F. 12,
CSMT, Mumbai (M.S.) Pin 400 001.
6. Shri Sanjeev Kumar (ADSTE/T/KYN) Office of Sr. DSTE.CO,
S&T Deptt., Mumbai Division, Central Railway, CSMT,
Mumbai (M.S.) Pin 400 001.
7. Shri C.M. Kashmirkar, Section Engineer/Telecom/Kalyan
Under Senior Section Engineer/Telecom/Kalyan, S&T Department,
Mumbai Division, Central Railway,
Kalyan, Pin 421 301 (Maharashtra State). - Respondents

ORAL ORDER
Per : Dr. Bhagwan Sahai, Member (A)

Present:

Applicant present in person.

2. Heard the applicant. He is challenging in this OA the order of DSTE/Tele/BB issued to him by Divisional Office, S & T Branch, Mumbai CST on 16.03.2018 (Annex A-1) by which the applicant was assigned

modified duties, i.e. the charge of data circuits i.e. FOIS, CMS and UTS-PRS, in Kalyan-THK section and responsibility for upkeep and maintenance of all aforesaid gears by coordinating with all other departments for expansion and upkeep of UTS/PRS/ATVM and FOIS/CMS/TMS network. He was also asked to coordinate with in-charge of SE, NE and DBRP section for smooth working of aforesaid gears.

3. The applicant claims that although the order mentioned of assignment of modified duties to him, it amounts to his transfer for which DSTE/Telecom is not the Competent Authority.

4. A perusal of the impugned order clearly shows that it was only for modification of duties of Telecom Engineers of Kalyan Telecom Depot at which the applicant is posted as SSE/T/KYN. Since it was redistribution of duties within the same Kalyan Telecom Depot itself, there was no transfer out of that depot was involved in it as claimed by the applicant. In fact that order was issued with the approval of Sr. DSTD/CO/OB.

5. The applicant further submits that though as per this order of modification of the duties, he has not been relieved from his earlier duties, he submitted a representation to DRM, Mumbai Division, Central Railway on 17.11.2018 which has not yet been decided. He also submits that he would be satisfied if this OA is disposed of directing the DRM, Mumbai Division, Central Railway to consider and decide his pending representation.

6. In view of this submission, this OA is disposed of at admission stage itself with a direction to DRM, Mumbai Division, CST, Mumbai to consider and decide with a reasoned order the pending representation of the applicant dated 17.11.2018 within one month from the date of receipt of a certified copy of this order, and then in one week thereafter to communicate it to him.

7. With this, the OA stands disposed of.

(Ravinder Kaur)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

kmg*

SD
10/10/21