

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA-2158/91

DATE OF ORDER : 4.10.1991.

SHRI VIRENDRA GROVER

...APPLICANT

VERSUS

UNION OF INDIA

RESPONDENTS

CORAM:

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

THE HON'BLE MR. J.P. SHARMA, MEMBER (J)

FOR THE APPLICANT

Shri S.K. BISARIA, COUNSEL

O R D E R

Heard the learned counsel for the applicant.

Briefly the case of the applicant is that he was posted as Carriage and Wagon Superintendent vide order dated 4.4.1991 with headquarters at Bad Refinery. He, however, represented against the said order, fixing his headquarter at Bad Refinery and requested to fix his headquarters at Mathura Junction vide order dated 6.4.1991. He also submits that there are cases where earlier too the respondents had given the dual charge of Mathura Junction and Bad Refinery to other personnel in other departments and allowed them to retain headquarters at Mathura Junction. We also observe that Bad Refinery is within 8 kilometres from Mathura Junction.

By way of relief the applicant has prayed that shifting of his headquarters from Mathura Junction to Bad Refinery be held as illegal, arbitrary and unconstitutional and accordingly quashed.

We have given careful consideration to the material brought up in the Original Application and the submissions made by the learned counsel for the applicant. The job of Carriage and Wagon Superintendent falls in the safety

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category and, therefore, is required to be positioned at a station keeping in view the operational requirements. Accordingly the headquarter of the Carriage and Wagon Superintendent has to be decided on administrative considerations and not on grounds of personal convenience of individuals. This is, therefore, a matter where judicial restraint and not judicial inference is called for. Accordingly, we decline to interfere in the matter. The Original Application is, therefore, dismissed at the admission stage itself.

(J.P. SHARMA)

MEMBER(J)

(I.K. RASGOTRA)

MEMBER(A)

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