

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA.No.113/93

New Delhi the 15th December 1993.

Shri Itwari Lal  
S/o Shri Chajju Singh,  
Head Train Examiner,  
Railway Station,  
New Delhi.

Applicant

By Advocate Shri A.K. Bhardwaj

versus

Union of India through

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Divisional Personnel Officer,  
Delhi Division, Northern Railway,  
D.R.M. Office, Paharganj,  
New Delhi.
3. Shri Surjeet Chatterjee,  
Divisional Mechanical Engineer,  
Northern Railway, D.R.M. Office,  
New Delhi.

By Advocate Shri Shyam Moorjani

Respondents

JUDGEMENT(Oral)

(delivered by Hon. Member(J) Shri C.J. ROY)

Heard the learned counsel for both parties.  
This is a case of transfer. The applicant is working  
as Head Train Examiner and he is transferred from New  
Delhi to Tuglabad vide Annexure A-1 impugned order  
dated 24.12.92.

2. The respondents have filed the counter  
contending that the transfer is made on administrative  
exigency and there are no malafides, arbitrariness as  
alleged by the applicant and therefore, the Tribunal

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cannot interfere. It is pertinent to mention that the applicant had already joined the place of posting. He has not made any representation so far.

3. In the case of Gujarat Electricity Board versus Atma Ram and others, the Hon. Supreme Court held that whenever the applicant is transferred, he should go and join the place of posting and then made representation. Otherwise, he is liable for disciplinary proceedings.

4. Following the guidelines laid down by the Hon. Supreme Court in this case, I direct the applicant to make a representation within one month from the date of communication of this judgement. After receipt of the representation, the respondents are directed to dispose of the same within a period of two months.

5. If the applicant is aggrieved by the decision of the respondents, he is at liberty to approach this Tribunal with an application for the same.

The OA is disposed of accordingly.

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(C.J. ROY)  
MEMBER(J)  
15.12.93