

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 99 of 1998

Allahabad this the 214th day of May, 2002

Hon'ble Mrs.Meera Chhibber, Member (J)

1. Dinesh Kumar Gupta S/o Mahadeo Prasad, presently working as Khalasi in Electric Loco Shed, Northern Railway, Ghaziabad.
2. Sant Lal Singh S/o Kali Din Yadav, presently working as Khalasi, Electric Loco Shed, Northern Railway, Ghaziabad.
3. Rakesh Babu S/o Late Sri Amir Das presently working as Khalasi Electric Loco Shed, Northern Railway, Ghaziabad.
4. Om Prakash S/o Late Sri Jagat Pal, presently working as Khalasi, Electric Loco Shed, Northern Railway, Ghaziabad.
5. Raj Kumar S/o Jagdish Prasad, presently working as Khalasi in Electric Loco Shed, Northern Railway, Ghaziabad.
6. Sushil Kumar S/o Late R.C. Premi, presently working as Khalasi, in Electric Loco Shed, Northern Railway, Ghaziabad.
7. Ram Ratan S/o Raj, Presently working as Khalasi in Electric Loco Shed, Northern Railway, Ghaziabad.
8. Raj Kumar S/o Late Dubari, presently working as Khalasi Electric Loco Shed, Northern Railway, Ghaziabad.

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9. Kamrul Zuha S/o Tokir Ahmad, presently working as Khalasi in Electric Loco Shed, Northern Railway, Ghaziabad.

Applicants

By Advocate Shri N.P. Singh

Versus

1. Divisional Manager, Northern Railway, Allahabad.
2. Divisional Manager, Northern Railway, Baroda House, New Delhi.
3. General Manager(P), Northern Railway, Baroda House, New Delhi.
4. Senior Divisional Electric Engineer, Northern Railway, Kanpur.
5. Senior Divisional Electric Engineer, Northern Railway, Ghaziabad.
6. Senior Divisional Personnel Officer, Northern Railway, Allahabad.
7. Senior Divisional Personnel Officer, Northern Railway, ~~Allahabad~~ New Delhi.

Respondents

By Advocate Shri A.K. Pandey

O R D E R (Oral)

By Hon'ble Mrs. Meera Chhibber, Member (J)

By this O.A. 9 applicants have challenged the transfer order dated 08.05.97 and also ~~seeking~~ ^{ought to} a direction to the respondents to continue them at Northern Railway division. Today when the matter was taken up the respondents counsel has brought to my notice that one of the applicant, during the pendency of the O.A., had already requested for mutual transfer which have been considered, and vide

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notice dated 02.06.98 he had been posted as per his request and the applicant no.1-D.K. Gupta has since joined as Khalasi in the grade of Rs.2550-3200 on 03.06.98. Thus, they have stated that as far as Shri D.K. Gupta is concerned, this O.A. does not survive any long.

2. As far as other applicants were concerned, it is seen from the order sheet that they were not given the stay order and it is sure that they must have joined at the place of their transfer, as the matter relates to the year 1998. The applicant's counsel also submitted that the clients ~~were~~^{are} not approaching him after the filing of the O.A. Therefore, it can ~~be~~^{be} safely concluded that the applicants are ~~not~~ longer interested in pursuing the O.A. However, it has been brought to my notice by the applicant's counsel that in identical matter filed by some other persons, the Hon'ble Vice Chairman has disposed of the O.A. by directing the respondents to decide the representation of the applicants by a reasoned order within 3 months from the date of copy of this order filed, copy of the order dated 11.12.00 passed in O.A.No.1243/97 is taken on record, and since it is seen from the pleadings in this case also that at the time of transfer the applicants ~~had been~~ given a representations followed by ~~the~~ reminders and had raised certain issues which were not adverted to by the respondents, therefore, ends of justice will be met if the present O.A. is disposed of by directing the respondents to consider the representations given by the applicants and to pass appropriate orders thereon

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within a period of 3 months from the date of receipt of a copy of this order, ofcourse the order should be detailed and speaking, giving all the reasons in support of the decision taken by the respondents.

3. With the above direction, the O.A. stands disposed of. No order as to costs.

A handwritten signature in dark ink, consisting of a stylized 'J' followed by a horizontal line.

Member (J)

/M.M./