

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, t-his the 15th day of September, 2003.

QUORUM : HON.MR.JUSTICE R.R.K. TRIVEDI, V.C.

HON. MR. D. R. TIWARI, A.M.

O.A. No. 1406 of 2001

Moti Lal Singh, Son of Late Sri Hardayal Singh,
Resident of Railway Quarter No.442/AB Indian
Institute Colony, Mughal Sarai, District
Chandauli, posted as Senior Clerk under
Senior Divisional Operating Engineer (Sr.D.O.M.)
Eastern Railway, Mughalsarai.

...Applicant.

Counsel for the applicant : Shri V.K.Srivastava

Versus

1. Union of India, through its General Manager,
Eastern Railway Subhash Chandra Road, Kolkata.
2. Chief Personnel Officer, Eastern Railway,
Kolkata.
3. Divisional Railw Manager, Eastern Railway,
Mughalsarai.
4. Senior Divisional Operating Manager,
Eastern Railway, Mughalsarai.
5. Senior Divisional Personnel Officer,
Eastern Railway, Mughalsarai.

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...Respondents.

Counsel for the respondents : Shri D.C.Saxena

O R D E R (ORAL)

BY HON.MR. JUSTICE R.R.K. TRIVEDI, V.C.

By this O.A. filed under section 19 of A.T. Act,
1985, applicant has challenged the order dated 5.10.2001
by which he has been transferred from Mughalsarai to
Asansol as senior clerk. Before filing the present O.A.
applicant had filed O.A. No.1190/01 in this Tribunal which



was finally disposed of by order dated 15.10.2001 with the following direction :-

"Considering the facts and circumstances, this CA is disposed of finally with liberty to the applicant to make a representation before the General Manager, Eastern Railway within 10 days. The representation, if so filed, shall be considered and decided by a reasoned order within a month by the General Manager, Eastern Railway. It shall also be open to the applicant to move an application to keep the order of transfer suspended during the pendency of the representation which shall be considered and decided within a week. Alongwith the representation a copy of this order shall also be filed before the General Manager."

2. In pursuance of the aforesaid order, representation of the applicant was decided by General Manager by order dated 19.12.01 a copy of which has been filed as Annexure CA-13. Copy of the counter was served on the applicant on 20.5.02 but the order has not been challenged which has become final against the applicant. In pursuance of the order of this Tribunal, representation of the applicant has been decided. ^{there is a} ~~No~~ question of interference ^{by the Tribunal} ~~is called for~~
 ~~by~~ the another O.A.
 with the same transfer order in

3. Considering the facts and circumstances of the case, this O.A. is dismissed. The applicant, if so advised,
 ~~is given liberty to challenge the O.A.~~
 may challenge the order dt 19/12/2001 in fresh

No order as to costs.

A.M.
A.M.

V.C.
V.C.

Asthana/