

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 15TH DAY OF MARCH, 2001

Original Application No. 249 of 2001

CORAM:

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

Imlak Ahmad, S/o Shri Saeed Ahmad,  
a/a 52 years, r/o 343, Rani Mandi,  
Allahabad.

... Applicant

(By Adv: Shri S.S.Sharma)

Versus

1. Union of India woning and representing, "Northern Railway" notice to be served to the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Administrative Officer/ Construction, Northern Railway, Kashmere Gate, Delhi-6
3. The Divisional Railway Manager Northern Railway, DRM Office, Nawab Yusuf Road, Allahabad.
4. The Dy.Chief Engineer/Construction Northern Railway, Allahabad.

... Respondents

(By Adv: Shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

The applicant is aggrieved by his transfer from Allahabad to Chandigarh under the impugned order dated 7.3.2001(Annexure A1). The grievance of the applicant is that he has been working in the Construction Division on deputation and if in construction division applicant has been rendered surplus he could be repatriated to his parent department. It has also been submitted that the applicant cannot be transferred beyond the devision except <sup>on</sup> ~~his~~ written consent.

Before coming to this Tribunal applicant filed a representation before Chief Administrative Officer of Construction, Northern railway. The grievance of the applicant is that representation of the applicant has not been decided.

Shri A.K.Gaur learned counsel for the respondents has submitted that applicant has been rendered surplus as the project for which the

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Construction Division was engaged at Allahabad has been completed and it is only on the basis of the Administrative exigency that applicant has been transferred from Allahabad to Chandigarh where work is available. However, the objection is silent so far the question of repatriation of the applicant to his parent department is concerned. After considering the submissions made by the counsel for the parties in my opinion, it shall be just and proper if the respondent no.2 is directed to decide the representation of the applicant by a reasoned order within a specified time.

The OA is accordingly disposed of finally with the direction to respondent no.2 to decide the representation of the applicant within three weeks from the date a copy of this order is filed before him. For a period of one month or till the representation is decided whichever is earlier, if the applicant has not been relieved, he shall be allowed to continue at Allahabad. There will be no order as to costs.

  
VICE CHAIRMAN

Dated: 15.3.2001

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