

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 26TH DAY OF MARCH, 2001

Original Application No.300 of 2001-

CORAM:

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

Nirmal Kumar Gupta, Son of Sri prem  
Chand Gupta, R/o 85, Saket Colony,  
Shahganj, Agra U.P. posted as Enquiry  
Cum reservation Clerk-II, Reservation  
Office, under Station Manager,  
Agra Fort, Railway Station.

... Applicant

(By Adv: Shri Prashant Mishra)

Versus

1. Union of India through  
General Manager, E.R. Church Gate  
Bombay, Maharashtra.
2. Divisional Railway manager, Kota  
W.R. Rajasthan
3. Senior Divisional Commercial Manager(E)  
Kota, Western railway, Rajasthan
4. Sri prakash Chand Sharma,  
posted as Assistant Operating Manager  
General, Kota, Railway officers  
Colony Kota, W.R.Rajasthan.

... Respondents

O R D E R(Oral)

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

This application has been filed challenging order  
of transfer dated 1.12.2000 by which applicant has been  
transferred from Agra Fort to Sabai Madhopur in same  
capacity. Challenging this order applicant filed a  
representation on 2.12.2000 on which an interim order  
was passed on 6.12.2000 directing stay of the applicant  
at Agra Fort upto 31.3.2001. As the matter is still  
pending before the Railway Authorities it was not  
appropriate for the applicant to come to this Tribunal.

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The learned counsel for the applicant, however, submitted that as the period of interim order is expiring on 31.3.2001 and representation has not been decided applicant was compelled to approach this Tribunal. I am not satisfied with the submission made by the counsel for the applicant. In normal course as the representation was pending he could approach this Tribunal only after six months if representation has not been decided. He had also not made any prayer <sup>to</sup> before authorities to extend the stay order dated 6.12.2000.

In these circumstances, this application is disposed of finally with the liberty to the applicant to apply before the Railway Authorities to extend the interim order and decide his representation expeditiously. If such application is filed, it shall be considered and decided. Copy of this order shall be given to the counsel for the applicant within 48 hours. No order as to costs.

  
VICE CHAIRMAN

Dated: 26.3.2001

/Uv/