

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1557 of 2004.

Allahabad, this the 22nd day of December, 2004.

Hon'ble Mrs. Meera Chhibber, J.M.

S.K. Tiwari,
Son of Shri R.P. Tiwari,
Head Booking Clerk,
North Central Railway, Mirzapur.

....Applicant.

(By Advocate : Ms. Renu Singh
Shri P. Tripathi.

Versus

1. Union of India,
through the General Manager,
North Central Railway,
Allahabad.
2. Divisional Railway Manager,
North-Central Railway,
Allahabad.
3. Divisional Personnel Officer,
North Central Railway,
Allahabad.
4. Divisional Commercial Manager,
North Central Railway,
Allahabad.
5. Senior Divisional Commercial Manager,
North Central Railway, Mirzapur.

.....Respondents.

(By Advocate : Shri A.K. Pandey)

O R D E R

By this O.A. applicant has sought quashing of the order dated 21.11.2004 whereby applicant has been transferred from Mirzapur to Chunar.

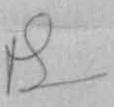
2. It is submitted by the applicant that he has already given his representation to the respondent No.5 on 01.12.04

which has been duly recommended by the Chief Booking Supervisor under whom applicant is presently posted.

3. Infact his case has been taken up by the Divisional Secretary also on 02.12.2004 with the Divisional Railway Manager, who have requested that he may be retained at Mirzapur on humanitarian ground as he has one child and mother of the child had already died. Child is getting computer education at Mirzapur. He has therefore, prayed that he may be retained at Mirzapur till the completion of child's computer education.

4. Counsel for the respondents submitted that applicant has been transferred ^{from} Mirzapur to Chunab which is hardly 25 kilometers away and the transfer order has been passed in routine manner along with 16 ~~of all~~ ^{of all} persons. Therefore, there is no illegality in the transfer order. It is however, not disputed that applicant's representation is still pending with the respondents and the same has not yet been decided. Therefore, it is wari ^{feel} settled that ends of justice would be met if the respondents are directed to consider his representation which has already been recommended by the officer under whom ^{he is} working and to decide the same by passing a reasoned and speaking order within a period of 4 weeks from the date of receipt of a copy of this order under intimation to the applicant. Till such time his representation is decided, respondents shall maintain status-quo as of today with regard to the applicant.

5. The O.A. is accordingly disposed off with no order as to costs.


Member (J)