

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No. 250 of 2004.

Allahabad this the 02nd day of September 2004.

Hon'ble Mr. Justice S R Singh, Vice-Chairman

Amit Garg
Son of Shri Mohan Gupta
R/o Opposite Kothi No.4
Chander Nagar, Saharanpur.

.....Applicant.

(By Advocate : Sri Mayank Agrawal/
Ms. Seema Agarwal)

Versus.

1. Union of India
through the General Manager
Northern Railway,
New Delhi.
2. Senior Divisional Electrical Engineer,
Department Traction Distribution
Ambala (Haryana) Northern Railway.
3. Yuv Raj Singh
Senior Section Engineer/Traction
Distribution Department, Saharanpur,
Northern Railway, Saharanpur.

.....Respondents.

(By Advocate : Sri A.K. Gaur)

O_R_D_E_R

Heard Sri S Ram holding brief of Sri Mayank Agarwal learned counsel for the applicant and Sri M.K. Sharma holding brief of Sri A.K. Gaur learned counsel for the respondents.

2. The O.A. is directed against the transfer order dated 09.09.2003 annexed as Annexure 1. By means of said order, the applicant was transferred from Saharanpur (Ambala Division) to Repar (Ambala Division). Operation of transfer order was stayed vide order dated 17.03.2004 while directing the respondents to consider and dispose of the applicant's representation ^(a preferred) against the transfer order. The representation has since been rejected by order dated 14.04.2004. Copy of which has been annexed as

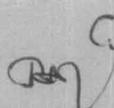
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Annexure 1/1.

3. Representation has been rejected by Senior Divisional Electrical Engineer/TRD, Northern Railway, Ambala Cantt. It is submitted by learned counsel for the applicant that Senior Divisional Electrical Engineer/TRD, Northern Railway, Ambala Cantt was not the competent authority. [✓] ~~Only~~ ² General Manager is the Competent Authority as per circular dated 23.05.1981 (Annexure SRA-2). The applicant has, however, preferred the representation dated 06.07.2004 against the order dated 14.04.2004 passed by Senior Divisional Electrical Engineer/TRD. The grounds on which the applicant's representation has been rejected [✓] ~~appear to be~~ [✓] ~~for~~ stigmatic. However, since the applicant has preferred the representation dated 06.07.2004 against the order dated 14.04.2004, it would meet the ends of justice if the O.A. is disposed of with a direction to the Divisional Railway Manager, Northern Railway, Ambala Cantt to forward the applicant's representation to the General Manager for decision thereon [✓] in accordance with law within a period of one month from the date of receipt of a copy of the order. General Manager on the receipt of representation shall dispose it of in accordance with law within a period of two months.

4. The O.A. is disposed of accordingly in terms of above direction.

No costs.


Vice-Chairman.

Manish/-