

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 30th day of April, 2004.

QUORUM : HON. MRS. MEERA CHHIBBER, J.M.

O.A. No. 448 of 2004

Mamta Daniel Das, aged about 40 years W/O Sri L.G.Das, Staff Nurse, Lalit Narayan Mishra, Railway Hospital, North Eastern Railway, Gorakhpur ..... Applicant.

Counsel for applicant : Sri J.P. Singh.

Versus

1. Union of India through its General Manager, Railway Bhavan, New Delhi.
2. Director General, Railway Health Services, Sardar Patel Marg, New Delhi.
3. General Manager, North East Railway, Gorakhpur.
4. Chief Medical Director, Lalit Narayan Mishra, Railway Hospital, North Eastern Railway, Gorakhpur.

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..... Respondents.

Counsel for respondents : Sri K.P. Singh.

O R D E R (ORAL)

BY HON. MRS. MEERA CHHIBBER, J.M.

By this O.A., applicant has sought a direction to the respondents to consider her application/representation for her transfer from Lalit Narayan Mishra Railway Hospital to Izat Nagar Division, North Eastern Railway.

2. It is submitted by the applicant that the applicant is posted as Staff Nurse in Lalit Narayan Mishra Railway Hospital, N.E.R., Gorakhpur since 1995. Unfortunately her husband Sri L.G.Das, who is resident of Gorakhpur city, has been in the company of bad elements and he is very cruel with the applicant right from the beginning of her marriage. It is submitted by the applicant that her husband had been beating her on number of occasions, therefore, she has shifted to her father's house at Moradabad. In these circumstances, she gave an application on 15.5.2003 to the





Chief Medical Director, Lalit Narayan Mishra Railway Hospital Gorakhpur requesting him to kindly transfer her to Izat Nagar Division of North Eastern Railway in view of the fact as explained above. She also gave an undertaking that she is willing to accept all the conditions which are necessary for transfer on request including the bottom seniority (Annexure-1). She thereafter repeated her request on 2.7.03 by another application (Annexure-2) but till date no reply has been given to her on the said applications. Being aggrieved she gave application to the Minister of Railway on 5.11.2003 narrating all the problems created by her husband Shri L.G. Das but even that has not been replied to, as a result of which she has <sup>been</sup> forced to live with her father at Umeedpur, Moradabad and is on leave since then. Therefore she is not even getting her salary from 4.4.2003. She has, thus, stated that she had no other option but to file the present O.A.

3. I have heard applicant's counsel and perused the pleadings as well. Perusal of the application given by the applicant to the Chief Medical Director shows that applicant is having some family problem due to which she is not able to continue her working at Gorakhpur, N.E. Railway. She has, therefore, requested the authorities to transfer her. It goes without saying that once an application is made to the authorities, they are expected to consider the same and pass appropriate orders thereon within a reasonable time. In this case applications are pending since <sup>m</sup> May 2003 but till date no reply has been given to the applicant. In these circumstances, I feel that the ends of justice would be made, if this O.A. is disposed of at the admission stage itself by giving direction to Respondent No.4 to consider her application sympathetically and decide the same on humanitarian ground within a period of two months from the date of receipt of a copy of this order under intimation to the

*out of Gorakhpur*



applicant.

4. With the above direction, this O.A. is disposed  
off with no order as to costs.

A handwritten signature in dark ink, appearing to be 'J.M.' with a stylized flourish.

J.M.

Asthana/