

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 20th day of September, 2004.

Original Application No. 1078 of 2004.

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

L.B. Chauhan S/o Late T.R. Chauhan
R/o 11-G, Tashkand Marg, Allahabad.

.....Applicant

Counsel for the applicant :- Sri I.R. Singh

V E R S U S

1. Union of India through its Secretary,
M/o Railways, New Delhi.
2. General Manager, North Central Railway,
Allahabad.
3. Chief Commercial Manager, North Central Railway,
Allahabad.

.....Respondents

Counsel for the respondents :- Sri A.K. Gaur

O R D E R

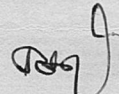
By impugned order dated 24.08.2004 the applicant ,
who had been posted in Headquatretrs office pursuant to
the order dated 17.08.2004, has been designated as Traffic
Costing Officer, Headquarters office, NCR, Allahabad under
FA & CAO, NCR, Allahabad by the General Manager. It is
submitted by the learned counsel for the applicant that
the applicant belongs to commercial branch ^{where he had been} and holding the
post of Assistnat Commercial Manager, ought not to have been
placed in operating branch which is different from
commercial branch. Learned counsel has also placed reliance
on Government of India, Ministry of Railways (Railway Board)
letter No. E (GP) 82/2/120 New Delhi dated 25.01.1983 in
support of his contention that vacancies in the operating
branch and commercial branch should be conducted seperately.



2. Sri A.K. Gaur, learned counsel for the respondents submits that General Manager has ample power to post the applicant in any department and if the is aggrieved, he has a remedy to file a representation to the General Manager pursuant to whose order the applicant has been designated as Traffic Costing Officer.

3. Having heard counsel for the parties, I am of the opinion, that the applicant must ^{exhaust} the remedy before approaching the Tribunal. Accordingly the O.A is disposed of finally with direction that in case the applicant files a representation before the General Manager for redressal of his grievances, the representation shall ^{be} ~~considered~~ ^{considered} and disposed ~~it~~ of by ~~passing~~ a reasoned order within a period of one month from the date of receipt of representation alongwith copy of this order.

4. There will be no order as to costs.


Vice-Chairman.

/Anand/