

(3)
OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NO. 876 OF 2005.

ALLAHABAD, THIS THE 3rd DAY OF AUGUST 2005.

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Vijay Kumar Singh,
Aged about 46 years,
S/o Shri Amrej Singh,
Subjaji Bhawan, Geeta Garden Ke Samne,
Sahpur, Gorakhpur.

.....Applicant.

(By Advocate : Shri K.K. Mishra)

Versus

1. Union of India,
Through General Manager,
North Eastern Railway,
Gorakhpur.
2. Chief Personnel Officer,
North Eastern Railway,
Gorakhpur.
3. Divisional Railway Manager,
North Eastern Railway,
Lucknow.
4. Senior Divisional Personnel Officer,
North Eastern Railway,
Lucknow.
5. Senior Divisional Commercial Manager,
North Eastern Railway,
Lucknow.

.....Respondents.

(By Advocate : Shri _____)

ORDER

By Hon'ble Mrs Meera Chhibber, Member (J)

Applicant has challenged the order dated 27.06.2005 whereby he has been transferred from Gorakhpur Lucknow Division to Izzatnagar Division. It is

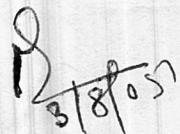
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stated by the applicant that no reasons have been assigned as to why he has been transferred from one division to the other division. Moreover, it will affect his seniority as seniority is maintained division wise.

2. I have heard counsel for the applicant and perused the petition also. The scope of interference in transfer matters is very limited. Hon'ble Supreme Court has repeatedly held that courts should not interfere in transfer matters lightly in a routine manner. It is the prerogative of the department to post a person anywhere they like of course within the parameters of laid down rules. Moreover, Hon'ble Supreme Court has also held that whenever, a person is transferred, he must give representation, if he has any grievance.

3. In the instant case, applicant has been transferred from one division to the other, no reason has been assigned in the order. Since grievance of the applicant is that his seniority would be affected if he is transferred on inter divisional basis, it would be open to the applicant to give a self contained representation to the appropriate authority within one week from today. In case applicant makes such a representation, the same shall be decided by the competent authority within a period of 4 weeks from the date of receipt of the representation by passing a reasoned and speaking order under intimation to the applicant. It is stated by the counsel for the applicant at bar that applicant has not been relieved so far. In case the statement is correct, respondents shall maintain status-quo as of today till his representation is decided.

4. With the above directions, this O.A. is disposed off. No order as to costs.


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Member (J)