

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00371/2021

Jabalpur, this Friday, the 18th day of June, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Prem Bahadur S/o Shri Late Bhim Bahadur
 Aged 55 years R/o 293-F Railway Quarter
 New Katni Junction (M.P.)
 Occupation: Hospital Attendant

-Applicant

(By Advocate –**Shri Sarabvir Singh Oberoi**)

V e r s u s

1. Union of India, Ministry of Railways
 Through its General Manager Western Central Railways
 Indra Market Jabalpur 482001

2. Western Central Railway Through General Manager
 Distt. Jabalpur Madhya Pradesh 482001

3. Divisional Railway Manager
 Railway Division Jabalpur Jabalpur 482001

4. Additional Chief Medical Superintendent
 New Katni Junction Katni (M.P.) 483501

5. Station Officer in Charge Thane New Katni Junction
 New Katni Katni M.P. 483501

6. Veerandra Balmik, S/o Not known Occupation Hospital
 Attendant R/o Health Centre Unit Railway Hospital Satna
 Satna (M.P.) 485001

- Respondents

(By Advocate –**Shri A.S. Raizada for respondents Nos.1 to 4**)

O R D E R (Oral)**By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed against the relieving order dated 12.06.2021 whereby the compliance of the order dated 20.05.2021 the applicant has been relieved from his duties at Divisional Railway Hospital New Katni Junction with immediate effect.



3. From the pleadings the case of the applicant is that the applicant was appointed by respondent No.2 on the post of Hospital Attendant at Jabalpur Railway Hospital. In the year 2000 the applicant was transferred from Jabalpur Railway Hospital to Railway Hospital New Katni on administrative exigencies. The applicant joined the Railway Hospital New Katni. In the month of April 2021 the applicant met with an accident and was on medical leave. The applicant joined on 12.06.2021 after his recovery. A relieving order dated 12.06.2021 was supplied to the applicant wherein it has been mentioned that vide order dated 20.05.2021 the applicant has been transferred from sub-divisional Railway Hospital New Katni Junction to Railway Health Centre Satna in the interest of administration and applicant is being relieved from his duties at Divisional Railway Hospital New Katni Junction with

immediate effect. The applicant has not been served with the transfer order which was issued on 20.05.2021. The applicant has specifically submitted that the applicant was transferred from Jabalpur to Katni in the year 2000 only because the incumbent at Katni was interested in serving at Jabalpur. The main ground for challenging the transfer order is that the transfer order has not been issued in the administrative exigencies of service.



4. At this stage learned counsel for the applicant submits that the applicant has made representation Annexure A/3 to the competent authority which is still pending and has not been decided by the respondents till date. Further the applicant submits that he will be satisfied if the competent authority is directed to decide the representation in a time bound manner.

5. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

6. We have considered the matter and we are of the view that the natural justice will be met if the competent authority is directed to decide the applicant's representation Annexure A/3 in a time bound manner.

7. Resultantly, the competent authority is directed to decide the applicant's representation Annexure A/3, if not already decided, within a period of four weeks after receiving the copy of this order.

8. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in Annexure A/3.

9. With these observations, this Original Application is disposed of at admission stage itself.

10. It is made clear that this Tribunal has not touched the merits of the case.

11. Till the representation of the applicant is decided by the competent authority, the said authority of the respondents shall not take any coercive action against the applicant.



(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

Karuna