

34 AM

1

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)**

DATE : 05.04.2021

Original Application No. 332/000133/2021

HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Kailash Chandra Meena, aged about 59 years, S/o Late Shri Ram Sahai Meena, R/o -SS-1287, Sector H, LDA Colony, Kanpur Road, Lucknow.

.....Applicant

By Advocate : Shri Praveen Kumar



Versus

1. Union of India, through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Personnel Officer, Northern Railway, Baroda House New Delhi.
3. The Principal Chief Materials Manager, Northern Railway, Baroda House, New Delhi.
4. The Deputy Chief Materials, Northern Railway, Alambagh, Lucknow.

For Respondents: Smt. Prayagmati Gupta.

ORDER (ORAL)

BY THE HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Heard both learned counsels for the applicant as well as for the respondents.

2. Shri Praveen Kumar, learned counsel for the applicant; submitted that the applicant, who has already

less than 16 months to superannuate from service, has suddenly been transferred vide impugned order dated 26.03.2021, (Annenure-A-1), in violation of the respondents' own policies and prevailing practice in this regard.

2. Issue notice. Ms. Prayagmati Gupta, learned counsel for the respondents, accepts notice on behalf of the respondents and submits that if the applicant had any grievance with regard to his transfer, he should first have approached the respondent authorities for redressal but has not done so till date. She states that in the event of the applicant preferring a representation vis-a-vis his grievance, the same can be disposed of in accordance with law in a time bound manner.

3. At this, Shri Praveen Kumar, learned counsel for the applicant, submitted that in these circumstances, the applicant would be satisfied if he is given leave to prefer a comprehensive representation to the respondents with regard to his grievances on the subject matter of this O.A. He further prayed that the applicant be allowed a personal hearing so as to better enable him to explain the facts and circumstances as well as the rules/ government directions pertinent to his case

4. Upon this, Ms. Prayagmati Gupta, learned counsel for the respondents submitted that in case the representation to be given by the applicant is to be decided in the manner sought, then a period of at least four weeks may be allowed for the same.

5. Looking to the limited nature of plea made by the learned counsel for the applicant and without entering into the merits of the case, I deem it appropriate to direct the applicant to prefer a fresh comprehensive representation with regard to the subject matter of this O.A. to the respondents within a period of one week from



today. In the event of such representation being made and received within the aforementioned period, Respondent No. 1 is directed to consider and dispose of the same by way of a reasoned and speaking order in accordance with law within a further period of one month after giving the applicant an opportunity for a personal hearing. Till the representation is decided, the impugned order dated 26.3.2021 (Annexure-A-1) shall remain stayed vis-à-vis the applicant.

5. O.A. is disposed of accordingly, at the admission stage itself. There will be no order on costs.



vidya

(A. Mukhopadhaya) ✓
Member (A)