

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 5TH DAY OF FEBRUARY, 2001

Original Application No.1520 of 2000

CORAM:

HON.MR.JUSTICE ASHOK AGARWAL, CHAIRMAN

HON.MR.S.DAYAL, MEMBER(A)

Ishwar Das Gupta, son of
Shri Bhagwan Das, R/o Delha
P.O.Gaya, district Gaya.

... Applicant

(By Adv: Shri S.K.Dey)

Versus

1. Union of India through
The General Manager,
Eastern Railway, Calcutta
2. Divisional Railway Manager
Eastern Railway,
Mughalsarai.

... Respondents

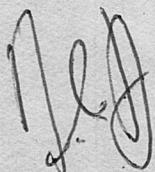
O R D E R(Oral)

JUSTICE ASHOK AGARWAL:

Applicant was serving as a Traffic Substitute at Mughalsarai. He, by his application dated 15.4.1989, Annexure A1 applied for being transferred to Gaya. The Divisional Railway Manager, by his endorsement made on applicant's application, on 19.4.1989 had directed as follows:

"He may be transferred"

Despite this, applicant was not transferred to Gaya. He was not permitted to assume duties either at Mughalsarai or at Gaya. On the contrary, disciplinary proceedings was initiated against him for unauthorised absence. The Enquiry Officer vide his report of 5.5.1997 at Annexure A3 without holding the applicant either guilty or not guilty has



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forwarded the enquiry papers to the Disciplinary Authority for considering his prayer for transfer. No orders have thereafter been passed by the Disciplinary Authority. Applicant, in the circumstances, has been left without job either at Mughalsarai or at Gaya. In the circumstances, we find that interest of justice will be met, even without issuing notices to direct the Disciplinary Authority to issue suitable orders on the aforesaid report of the Enquiry Officer expeditiously and intimate the same to the applicant within a period of two months from the date of service of this order.

Present OA disposed of in the aforesated terms.


(S. DAYAL)
MEMBER (A)


(ASHOK AGARWAL)
CHAIRMAN

/sns/