

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No.508/2002
TUESDAY, THIS THE 7TH DAY OF MAY, 2002

HON'BLE MR. RAFIQ UDDIN .. MEMBER (J)

Prem Shankar Singh,
S/o Vishwanath Singh,
Deputy Station Superintendent,
Station Deena, U.P., Danapur,
Danapur Division,
Village Kuchman, Post Keshavpur,
Dist. Chandauli. ... Applicant

(By Advocate Shri K. Singh)

Versus

1. Union of India, through
General Manager,
Eastern Railway, Howrah.
2. Divisional Railway Manager,
Eastern Railway, Danapur.
3. Divisional Commercial Officer,
Eastern Railway,
Danapur. ... Respondents

(By Advocate Shri K.P. Singh)

ORDER

The applicant Shri Prem Shankar Singh , who is at present working as Deputy Station Superintendent at Deena Railway Station, within the Danapur Division of Eastern Railway, has been directed to report at Howrah Division, vide the impugned order dated 5.4.2002, by the Divisional Railway Manager, Danapur.

2. The grievance of the applicant is that he was transferred to Danapur Division on 8.5.2001, i.e., only one year back. The grounds for sending back the applicant to Howrah Division mentioned in the impugned order is that

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the earlier release order of the applicant dated 8.5.2001 was not issued by the proper authority of the Howrah Division. The applicant has challenged the validity of the impugned order on the ground that the applicant is not at fault because he was spared by the competent authority and was posted at the present Railway Station.

3. The learned counsel for the respondents on the other hand, has contended that since it was inter-divisional transfer, the order can be done only at the General Manager level.

4. It is admitted by the applicant's counsel that he has not submitted any representation against the impugned order before the competent authority so far. Considering the facts of the case, the O.A. is disposed of at the admission stage with a direction to the applicant to submit proper representation before the competent authority, General Manager (P), Eastern Railway, Howrah, within a period of two weeks, which will be considered and decided by a speaking and reasoned order by the competent authority. It is however, provided that till the representation of the applicant is decided, the impugned order shall be kept in abeyance. No order as to costs.

Rahimuddin
MEMBER (J)

psp.