

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 13rd day of September, 2002.

Original Application No 931 of 2002.

Hon'ble Mrs. Meera Chhibber, Member-J.

R.K.Pandey, J.E.E. (I)/ACC/NER, Gorakhpur, Son of
Shri Janardan Pandey, A/a 52 years, R/o 745,
Ganeshpuram (Rapti Nagar) Phase-I, Post Arogya
Mandir, Gorakhpur.

.....Applicant.

Counsel for the applicant:- Sri P.Verma,
Sri Y. Singh.

V E R S U S

1. Union of India, through G.M. N.E.R., Gorakhpur.
2. Chief Electrical Engineer, N.E.R., Gorakhpur.
3. Chief Personal Officer, N.E.R., Gorakhpur.
4. Divisional Railway Manager(Electrical), N.E.R., Lucknow.
5. Divisional Railway Manager (Personal), N.E.R., Lucknow.
6. Section Engineer (A.C. Coach), N.E.R., Gorakhpur.

.....Respondents.

Counsel for the respondents:- Sri K.P. Singh.

O R D E R (Oral)

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

By this O.A, the applicant has challenged the order dated 11.07.2002(annexure- 1) whereby he has been transeferred from Gorakhpur to Gonda while Sri Vinit Mishra ~~who~~ has to take place of the applicant at Gorakhpur from Gonda. The applicant has taken up number of grounds to challenge the transfer order namely that the order has been issued by an authority who has no jurisdiction and that transfere order has been issued during the mid of the education session as his daughters are studying in 9th and 11th class in the school and also on medical ground. He has also submitted a representation to the Chief Electrical Engineer taking all these grounds therein, a copy of which has been annexed as annexure- 11. He^{is} has, therefore,

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attest 

submitted that ^{matter of} till his representation is decided, no effect shall be given to his transfer order. The law is well-settled that the jurisdiction of the Tribunal is very limited in the ~~order~~ of transfer and we cannot interfere in the administrative orders of the transfer where persons are transferred from one place to another place on administrative grounds. However, in this case, since the applicant has already given representation to the higher authority which is still pending, this O.A is disposed off at the admission stage by giving direction to the respondents to decide the representation of the applicant within a period of one month from the date of receipt a copy of this order and till such time, if the applicant has not already been relieved, the respondents are directed not to give effect to transfer order of the applicant. The order passed on the representation shall be communicated to the applicant.

2. With above direction the O.A is disposed off finally.

3. There will be no order as to costs.



Member- J.

/Anand/