

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 29th day of July 2003.

QUORUM : HON. MR. JUSTICE R. R. K. TRIVEDI, V. C.  
HON. MR. D. R. TIWARI, A.M.

O. A. No. 837 of 2003.

Mahesh Prasad, aged about 45 years S/O Shri Jurawal Prasad posted as Section Engineer (Works) East Central Railway, Mughal Sarai, R/O 1414-B, Manas Nagar, Mughal Sarai, District Chandauli..... .... Applicant.

Counsel for applicant : Sri S. C. Budhwar.

Versus

1. Union of India through General Manager, East Central Railway, Hazipur.
2. Divisional Railway Manager, East Central Railway, Mughal Sarai.
3. Senior Divisional Personnel Officer, East Central Railway Mughal Sarai.
4. Assistant Personnel Officer, East Central Railway, Mughal Sarai.
5. Shri Parvez Alam S/O not known, posted as Section Engineer (Works), Survey, DRM Office, Mughal Sarai.
6. Shri Abdus Sattar S/O not known, Junior Engineer-I, working as Section Engineer (Works), East Central Railway, Mughal Sarai..... .... Respondents.

Counsel for respondents : Sri K. P. Singh.

O R D E R (ORAL)

BY HON. MR. JUSTICE R. R. K. TRIVEDI, V. C.

By this O.A. filed under section 19 of A.T. Act, 1985, applicant has challenged the order dated 4.7.2003 (Annexure-I) by which applicant has been transferred from Mughal Sarai to Gaya as Section Engineer. Before coming to this Tribunal applicant filed a representation before Respondent No. 2. A copy of the representation has been filed as Annexure-5. As the applicant has already ~~the~~



approached the competent authority to retain him at Mughal Sarai, in our opinion, it shall not be proper for the Tribunal to interfere at this stage, except for a direction to the Respondent No.2 to consider and decide the representation of the applicant within a period of one month from the date a copy of this order is filed and the applicant may be allowed to continue at Mughal Sarai for a period of one month or till the representation is decided, whichever is earlier, if he has already not been relieved.

2. The O.A. is disposed of finally at this stage with the direction to Respondent No.2 to decide the representation of the applicant by a reasoned and speaking order within one month from the date a copy of this order is filed. In order to avoid delay, it shall be open to applicant to file a copy of the representation along with copy of this order. Applicant shall be allowed to continue at Mughal Sarai for a period of one month or till the representation is decided, whichever is earlier, provided applicant has already not been relieved.

There will be no order as to costs.

*Hava*  
A.M.

*R*  
V.C.

Asthana/