

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.991 of 2003.

Allahabad this the 24th day of October 2003.

Hon'ble Mr.A.K. Bhatnagar, Member-J.

Subodh Kumar
s/o Shri Krishna Nandan Prasad Sharma
R/o Railway Quarter No.28 A Chandauli,
Mughalsarai, District Chandauli.

.....Applicant.

(By Advocate : Sri Sajnu Ram)

Versus.

1. Union of India
through General Manager
East Central Railway,
Hazipur.
2. Divisional Railway Manager,
East Central Railway,
Mughalsarai.
3. Chief Personnel Officer
Eastern Railway, Kolkata.

.....Respondents.

(By Advocate : Sri K.P. Singh)

O_R_D_E_R

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has sought a direction to respondents to forward the application of the applicant to the respective Headquarters of Kolkata and Hazipur and further a direction to respondents No.1 and 3 to transfer the applicant at Headquarter of Hazipur as per direction of Railway Board's letter No.N.B(N.G)1/96/TR/36/Val-II dated 09.07.2002 circulated by Chief Personnel Officer, Eastern Railway, Kolkata.

2. The case of the applicant is that he is working as Senior Clerk at Chandauli of Mughalsarai Division, East Central Railway. Certain new zones were created in East Central Railway and a new zone of East Central Railway

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was formed having its Head Office in Hazipur. Mughalsarai Division of Eastern Railway was included in the new zone of East Central Railway, Hazipur. Learned counsel for the applicant submitted that options were called from staff of different divisions and zone for working in Headquarter's office of two new Zonal Railway namely East Central Railway, Hazipur and North Western Railway, Jaipur. Learned counsel for the applicant submitted that applicant gave his option on prescribed proforma for his transfer to Headquarter's office, East Central Railway, Hazipur on 25.07.2002 as per conditions prescribed in Railway Board's letter dated 09.07.2002 (Annexure A-1). In para 6 of the Railway Board's letter, it is stated that all options must be forwarded to Dy. Chief Personnel Officer (R), Eastern Railway, Kolkata latest by 17.09.2002. But inspite of this, respondents have not forwarded the options given by applicant to the Headquarters' office, Kolkata for his transfer to Headquarters' office situated in Hazipur. It is also submitted by learned counsel for the applicant that applicant personally visited the Headquarters Office and he was told that his application duly forwarded for transfer to Headquarters' office has not yet been received by the Department. So the applicant again submitted his representation which was received on 13.11.2002 by the department, which is Annexure A-IV.

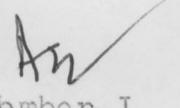
3. I have heard counsel for the parties, perused record and Railway Board's letter dated 09.07.2002.

4. After hearing counsel for the parties, I am of the view that the ends of justice will better be served if application submitted by the applicant on 25.07.2002 followed by reminder dated 13.11.2002 is decided by a reasoned and speaking order within a specified period.

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5. The O.A., is accordingly disposed of at the initial stage itself with a direction to the respondent No.3/Competent Authority to consider and decide the representation of the applicant in the light of Railway Board's Circular and as per Rules by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

No order as to costs.


Member-J.

Manish/-