

(6)

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD**

**ORIGINAL APPLICATION NO.501 OF 2006**

ALLAHABAD THIS THE 25<sup>th</sup> DAY OF JANUARY, 2007

**HON'BLE MR. JUSTICE KHEM KARAN, V.C.**

Krishna Kant Pandey, S/o late B.D. Pandey, R/o Village & Post Khaie, Karchhana, District Allahabad at present posted under SCC/OP/NCR, Tundla.

.....Applicant

(By Advocate Shri A.K. Mishra)

V E R S U S

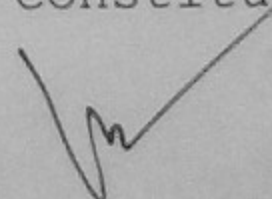
1. Union of India, Secretary, Ministry of Railway, Baroda House, Rail Bhawan, New Delhi.
2. Union of India through its General Manager, Baroda House, Rail Bhawan, New Delhi.
3. Divisional Rail Manager, Additional Railway Manager, Sr. Divisional Electric Engineer, Northern Railway, Allahabad.
4. Asstt. Electric Engineer, Northern Railway, Tundla.
5. Chief Traction Controller, N.R. Tundla.
6. Sagir Ahmad, Sr. Electronic Shunter, Tundla.
7. Shiv Shanker Lal, Sr. Electronic Shunder, Tundla.
8. Lakshmi Kant Electric Driver of Goods Tundla.

.....Respondents

(By Advocate: Smt. Anita Srivastava)

**O R D E R**

The applicant has filed this O.A. for directing the respondent no.3 to dispose of his application dated 22.6.2005 for considering his case for transfer from one place to another and also to direct the respondents to constitute an enquiry



against the respondent nos. 5, 6, 7 & 8 for mis-appropriating the Government money. He says that because of the complaint he made against certain officers alleging certain irregularities or illegalities on their part, atmosphere in the office where he was working is such that he needs to be shifted to some other place, so that he may serve peacefully. He says that he made a written request dated 25.6.2005 to the respondent no.3 to shift him to Allahabad Division, but the respondent no.3 is keeping this request pending with him. The respondents have filed their reply saying that the applicant is un-authorizedly absenting.

2. The Tribunal has not been able to understand as to how such a matter could be brought here under Section 19 of the A.T. Act 1985. The Tribunal feels that such OA for transferring one employee to another place cannot be entertained under Section 19 of the A.T. Act. This is a matter which should be dealt with by the authorities concerned. Incase the Tribunal starts admitting such OAs for directing the authority concerned to transfer one employee from one place to another, the entire executive business of the Government will stand shifted to the Tribunal. No-doubt, whenever the orders transferring the employee to another place are passed, the same is subject to judicial review, For the reasons stated above, this O.A. is dismissed as misconceived. No costs.

*[Signature]*  
25-1-07

VICE CHAIRMAN

GIRISH/-