

A/2  
OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ALLAHABAD BENCH**  
**ALLAHABAD**

Dated: This the 24<sup>th</sup> day of **MAY** 2006.

Original Application No. 560 of 2006.

Hon'ble Mr. K.B.S. Rajan, Member (J)

Vijay Kumar Srivastava, S/o Late S.K. Srivastava,  
Posted as Commercial Supervisor at Northern Railway,  
Gorakhpur.

.....Applicant

By Adv: Sri Siddhrath Singh

V E R S U S

1. Union of India through General Manager,  
North East Railway,  
GORAKHPUR.
2. Divisional Railway Manager,  
North East Railway,  
LUCKNOW.
3. Divisional Railway Manager (Commercial),  
North East Railway,  
LUCKNOW.
4. Sri Munna Singh, Commercial Supervisor, Sahjanwa,  
GORAKHPOUR.
5. Sri Dinesh Mishra, Commercial Supervisor, Naugara,  
Gorakhpur.

.....Respondents

By Adv: Nil

**O R D E R**

**By K.B.S. Rajan, JM**

The applicant appeared in person.

The applicant is aggrieved by order dated 17.03.2006

whereby he has been transferred from Gorakhpur to Paoagpur

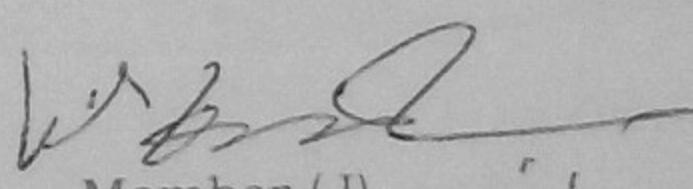


vide Sl. No. 38 of the said order. According to the applicant he is physically challenged person and this move would cripple him further. He has stated that he had made a representation on 13.04.2006, which remains unanswered. There seems to be some criminal cases also contemplated.

2. As the counsel are on independent strike it is not possible to hear the Respondents. However, interest of justice would be met if a direction is passed to the respondents to consider the representation filed by the applicant and while so considering, the grounds raised in this OA, a copy of which is also annexed to this order, be also considered and a judicious decision taken, keeping in view the administrative exigencies as well as the individual's inconveniences as reflected in some of the grounds. Such a decision be taken within four weeks from the date of communication of this order. No opinion on the merits of the matter is expressed by this Court. Till such time the representation is not disposed of the applicant shall be permitted to continue in the post at Gorakhpur as and when he reports for duty. The period of absence till he reports for duty shall be regularized in accordance with law under the powers vested with the Competent Authority.

3. In view of the above the OA is disposed of. No cost.

4. Copy of this order be given to the applicant in person today itself.

  
Member (J)

/pc/