

Shri Akbar Husenbax Shaikh  
Dohad, Quarter No.1383/B  
Filter side, Freelandgang

: Applicant

Versus

1. Union of India  
Representing, General Manager,  
Western Railway.
2. Divisional Mechanical Engineer(E)  
Western Railway,  
Ratlam.

: Respondents

Coram : Hon'ble Mr. P.H. Trivedi

: Vice Chairman


ORAL ORDER

23/6/1989

Per: Hon'ble Mr. P.H. Trivedi

: Vice Chairman

Heard Mr.D.F.Amin and Mr.N.S.Shevde, the learned counsel for the applicant and the respondents. The petitioner's transfer has been effected because from Fireman he has been made Diesel Assistant and an appropriate post of Diesel Assistant requires for transfer. This transfer would pave the way for his promotion. However, when it is a question of eligibility for being Diesel Assistant for further transfer, it is for the choice of the petitioner to forgo it and if he does so in writing he has a case for not to be disturbed and be retained at Dahod. It is therefore directed that if the petitioner within 15 days of the date of this order gives in writing a petition to the respondent authorities that he forgoes his eligibility for Diesel Assistant, he may be retained at Dahod. The consequences of his seniority will be in accordance with the Rules applicable to such a case. With this observation, and direction, the case is disposed of.

  
(P.H.Trivedi)  
Vice Chairman