

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH
~~XXXXXX~~O.A. No. 163
~~XXXXXX~~

1990

DATE OF DECISION 19/4/1990

Petric Joseph

Petitioner

Mr. D.F.Amin

Advocate for the Petitioner(s)

Versus

Union of India and Others

Respondent

Mr. N. S. Shevde

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N Dharmadan .. Judicial Member

The Hon'ble Mr. M. M. Singh .. Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

O.A. No. 163 of 1990

Petric Joseph,
C/o. Rly. Quarter,
N.E.38/A, Station Colony,
Dahod. Dist. Panchmahal
(Advocate - Mr. D.F. Amin)

.. Applicant

Versus

1. Union of India,
Through,
General Manager, W.Rly.,
Churchgate, Bombay.
2. Divisional Safety Officer,
Western Railway,
Ratlam (M.P.)

.. Respondents

(Advocate - Mr. N.S. Shevde)

CORAM : Hon'ble Mr. N. Dharmadan .. Judicial Member

Hon'ble Mr. M.M. Singh .. Administrative Member

O R D E R

Date : 19.4.1990

Per : Hon'ble Mr. N. Dharmadan .. Judicial Member

The grievance of the applicant in this case is that he has been transferred from Dahod to Village Jekot and that it causes great inconveniences and it is against the circulars and guide lines dealing with the transfer. Hence, he is challenging the transfer order on various grounds. He submitted that he has only 2 years to retire and it would be inconvenient for the studies of his children. He also further submitted that his continuance in the place in which he is now working is necessary for maintaining the family ~~benefits~~ ^{matter} and domestic affairs.

2. However, these are all matters which should

have been placed by the applicant before the respondents for consideration in the first instance instead of approaching this Tribunal and attacking the transfer. At this stage, according to us, this application is pre-mature and it can be disposed of with a direction that the applicant will file a detailed representation stating all his grievance before the second respondent within ^{two} weeks from today. If such a representation is filed, the second respondent shall consider ~~and dispose~~ ^{of} the same taking into consideration his grievances and the averments in this application and dispose of the same in the light of the relevant guide lines and circulars dealing with the transfer within a period of six weeks from the date of receipt of such a representation. The second respondent may also consider the request of the applicant to continue in the meantime in the present place in which he now working until he takes a decision in this behalf and the disposal of the above representation in accordance to the law. With this direction, we dispose of the application. There will be no order as to costs.

M M Singh

(M. M. Singh)
Administrative Member

N. Dharmadan

(N. Dharmadan)
Judicial Member

*Mogera