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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 301 of 1991

Date of decision : November 26, 1991

Smt. Sudha Rath

: Applicant

Versus

Union of India and others

: Respondents

For the applicant

: M/s. Jayant Das, B.S. Tripathy,
B.K. Sahoo, S. Mallik, K.P.
Misra, and K.M. Samal,
Advocates.

For the Respondents

Mr. L. Mohapatra, Standing
Counsel (Railway Admn.)

CORAM:

THE HONOURABLE MR. K.P. ACHARYA, VICE-CHAIRMAN

1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not? No
3. Whether Their Lordships wish to see the fair copy of the judgment? Yes.

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JUDGMENT

K.P. ACHARYA, V.C.

The Petitioner was working as an Announcer in the Bhubaneswar Railway Station. She was transferred and directed to carry out the work of a Water carrier. With this grievance, the Petitioner has come up with this application to quash the order giving a duty of a Water Carrier.

2. While this matter came up for admission notice was issued to the Opposite Parties to show cause as to why this application should not be allowed because I did not feel it just and expedient in the interest of justice to keep the matter un-necessarily pending. Mr. L. Mohapatra learned Standing Counsel for the Railway Administration entered appearance for the Opposite Parties and has filed counter.

3. With the consent given by Mr. K.P. Misra learned Counsel for the Petitioner and Mr. L. Mohapatra, Learned Standing Counsel for the Opposite Parties, the case was heard on merits today.

4. There is no dispute regarding the facts stated by the Petitioner.

5. Admittedly, the post of an Announcer, and Water Carrier comes within the category of Group 'D' and therefore, I find no fault with the appropriate authority for having transferred the Petitioner from the Post of an Announcer to the Post of a Water Carrier.

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However, even though the Post of an announcer comes within the category of Group 'D' yet the petitioner was discharging the work of an Announcer by sitting in a particular room. Perhaps some embarrassment would be caused to the Petitioner to discharge the duty of a Water Carrier. I am told that the Post of a Waiting Room Attendant is still vacant and if it is so, the appropriate authority may post the Petitioner as a Waiting Room Attendant which would be desirable and convenient for all purposes. I hope and trust, this order would be carried out by posting the Petitioner as a Waiting Room Attendant within 10 (ten) days from the date of receipt of a copy of this judgment. In case no post of Waiting Room Attendant is now available, the concerned authority should post the Petitioner as a Waiting Room Attendant by transferring some Male Attendant.

6. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.



Central Administrative Tribunal
Cuttack Bench; K. Mohanty/26.11.91.

K. Mohanty
26.11.91
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VICE-CHAIRMAN