

6

CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 506 OF 1998
Cuttack this the 18th day of November, 1998

(PRONOUNCED IN THE OPEN COURT)

Chandra Bali

Applicant

-Versus-

Union of India & Others

Respondents

(See instructions) (FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? Yes.
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? No.

(G.NARASIMHAM)
MEMBER (JUDICIAL)

(SOMNATH SOM)
VICE-CHAIRMAN

**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO.506 OF 1998
Cuttack this the 18th day of November, 1998**

CORAM:

**THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER(JUDICIAL)**

...

Sri Chandra Bali,
aged about 58 years,
S/o.Late T.La, present working as
Senior Inspecting Engineer,
South Eastern Railway Concrete Sleeper Plant
Jharsuguda, Orissa

...

Applicant

By the Advocates : Mr.A.Routray

-Versus-

1. Union of India represented though its General Manager, S.E.Railways, Garden Reach, Calcutta
2. Chief Engineer, S.E.Railways, Garden Reach, Calcutta
3. Senior Divisional Personal Manager A.C.S.E.Railways, Chakradharpur, Bihar

...

Respondents

By the Advocates : Mr.D.N.Mishra
Standing Counsel

...

ORDER

MR.SOMNATH SOM, VICE-CHAIRMAN: Learned counsel for the petitioner wants the prayer for interim relief to be taken up. In this case counter has been filed by the respondents with copy to learned counsel for the petitioner. In view of this Original Application is taken up for final disposal.

J. Jom

2. The case of the petitioner is that he is going to retire on 31.8.2000 and has thus two years to retire. In 1997 he has lost his wife and has a minor son who is studying at Jharsuguda. But now he has been transferred to Calcutta. His representation against transfer has been rejected. It has been submitted by the respondents in their counter that the petitioner is working as Senior Inspecting Engineer at Jharsuguda and there is no work for him and his services are required at Calcutta; that is why he has been transferred to Calcutta. At our instance learned counsel for the petitioner has given us the details of the places the petitioner has worked in the past with copy to learned Standing Counsel Shri D.N.Mishra. From this we see that the petitioner has worked at Nagpur, Domaposi(Bihar), Bolangir and also at Jharsuguda. He has worked at Jharsuguda from March, 1992. In view of the fact that he is having less than two years of service to retire and in view of the fact that he is having a minor son, this Original Application is disposed of with a direction to the petitioner that he shall file a representation before the departmental authorities within 10 days from to-day and the departmental authorities are directed to dispose of the said representation within 30 days from the date of receipt of such representation to be filed by the petitioner. They should sympathetically consider the personal difficulties of the applicant and try to adjust him, if not at Jharsuguda, at some nearby place to Jharsuguda. The departmental authorities shall pass a reasoned order on the representation within the time

stipulated above and intimate the decision to the petitioner within 15 days of the /disposal of such representation. The petitioner is given liberty to approach the Tribunal in case he is not satisfied with the final order to be passed on his representation by the departmental authorities.

3. The petitioner is reported to be on leave. During the above period, i.e. till the disposal of his representation he may continue to be on leave and his leave should be sanctioned in accordance with rules.

With the above direction Original Application is disposed of. No costs.

(G.NARASIMHAM)
MEMBER(JUDICIAL)

B.K.SAHOO

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
12-92