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O.A. No. 224/08

ORDER No.6 DATED 11TH DECEMBER, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)

Heard Mr. P.K. Mohapatra, Ld. Counsel for the applicant and Mr. R.N. Pal, Ld. Addl. Standing Counsel for the Respondents.

2. This Original Application has been filed by the applicant, aggrieved by the transfer order dt.08.01.08 (Annexure-A/7). The applicant had earlier approached this Tribunal by filing O.A. No.426/07 objecting to his transfer. The said O.A. was also against the transfer of the applicant to go over from South Eastern Railways to South East Central Railways. That O.A was disposed of by this Tribunal directing to consider the case of the applicant.

3. In the present Original Application the applicant challenges the transfer order dt.08.01.08 (Annexure-A/7) on the ground that he is a Graduate in Civil Engineering and he should not be transferred or posted to T.M. Cadre which cadre is only meant for Electrical and Mechanical Engineers. The further objection against the transfer of the applicant was also narrated in Annexure-A/8 representation dated 18.01.2008 addressed to the Secretary, Railway Board, Rail Bhawan, New Delhi, and that representation is still pending and not disposed of hitherto. In the above circumstances, it is only proper for this Tribunal to

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dispose of this O.A. by directing the authorities including the Secretary, Railway Board, Rail Bhawan, New Delhi to dispose of Annexure-A/8 representation within a reasonable time and in the meanwhile the applicant shall not be disturbed from the present post.

4. With the above observation, this O.A. is disposed of by directing the Respondent No.3 to consider Annexure-A/8 representation and to take a final decision in this matter as early as possible at any rate within 45 days from the date of receipt of the copy of this order. Further, it is directed the applicant shall take a copy of this order and the O.A. to the Respondent No.3 for compliance of this order.

5. A copy of this order shall be served to Mr. R.N. Pal, Ld. Addl. Standing Counsel for the Respondents.

Chappas

MEMBER (J)