

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.727 of 2016

Cuttack this the 21st day of October, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

Sukanta Kumar Sahoo, aged about 35 years, S/o. late Utsab Sahoo, at present working as a Loco Pilot (G) under CCC/ECOR/KDJR, permanent resident of Vill/PO-Dalijoda Brahmapur, Via-Charbatia, Dist-Cuttack-754 028

...Applicant

By the Advocate(s)-M/s.N.R.Routray

J.Pradhan

S.K.Mohanty

T.K.Choudhury

-VERSUS-

Union of India represented through:

1. The General Manager, East Coast Railways, E.C.R.Sadan, Chandrasekharapur, Bhubaneswar, Dist-Khurda
2. Railway Manager, East Coast Railway, Khurda Road Division, At/PO-Jatni, Dist-Khurda
3. Senior Divisional Electrical Engineer(Operation), East Coast Railway, Khurda Road Division, At/PO-Jatni, Dist-Khurda
4. Chief Crew Controller, East Coast Railway, Paradeep, /PO-Atharabanki, Dist-Jagatsinghpur-754 120
5. Chief Crew Controller, East Coast Railway, Keonjhar, At-Keonjhar, PO-Gutur, Dist-Keonjhar-658 001

...Respondents

By the Advocate(s)- Mr.T.Rath

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

Heard Mr.N.R.Routray, learned counsel for the applicant

and Mr.T.Rath, learned Standing Counsel appearing for the

all

Respondent-Railways on the question of admission and perused the records.

2. Applicant is presently working as a Loco Pilot (G) under CCC/ECOR/KDJR. His grievance is directed against the sparing/reliving order dated 12.07.2016 (A/1). In the circumstances, he has prayed for direction to Respondents to allow him to continue at Paradeep.

3. It is the case of the applicant that without any valid transfer order, he was spared and in obedience to the said sparing order, he has joined at Keonjhar. Since there was no proper order of transfer, applicant sought information through the RTI Act and he could come to know that he has been posted to Keonjhar in the administrative interest.

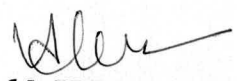
4. Ventilating his grievance, applicant has submitted an appeal to the DRM, East Coast Railway, Khurda Road(Res.no.2) for reconsideration of his transfer to either Bhubaneswar or Cuttack or to allow him to continue at Paradeep. This appeal is dated 19.9.2016 annexed to the O.A. as A/4. Grievance of the applicant is that he is yet to receive any response from Res.no.2 and this is why, he has approached this Tribunal under Section 19 of the A.T.Act, 1985 with a prayer as referred to above.

5. As the applicant after joining the transferred place has submitted an appeal to Res.no.2 for reconsideration of his transfer, at this stage, I do not feel it proper to keep this matter pending, thereby directing the respondents to file their counter.

Alk

5

6. Without expressing any opinion on the merit of the matter, I would direct both Respondent No. 2 to consider the representations of the applicant as aforementioned as per the extant rules and instructions on the subject and communicate the decision thereon to the applicant in reasoned and speaking order within a period of two months from the date of receipt of this order. Although I have not expressed any opinion on merit, but, I hope Respondent No. 2 while considering the grievance of the applicant shall take into account all the points raised by him therein.
7. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.
8. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 at the cost of the applicant for which Mr.N.R.Routray undertakes to file the postal requisites by 24.10.2016.
9. Free copy of this order be made over to learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)

BKS