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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00847 OF 2016
Cuttack, this the 1st day of December, 2016

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

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Prafulla Chandra Mohanty, aged about 57 years, S/o-Late Krushna Chandra Mohanty, At present working as Station Manager, East Coast Railway, Bhadrak Railway Station, At/PO-Charampa, Dist-Bhadrak, PIN-756101.

...Applicant
(By the Advocate-M/s. S. N. Sharma, P. K. Ray)

-VERSUS-

Union of India Represented through

1. General Manager, East Coast Railway, E.Co.Rly Sadan, Chandrasekharapur, Bhubaneswar, Dist-Khurda.
2. Divisional Railway Manager, Khurda road Division, East Coast Railway, At/PO-Jatni, Dist-Khurda.
3. Senior Divisional Operating Manager, East Coast Railway, Khurda Road Division, At/PO- Jatni, Dist-Khurda.
4. Senior Divisional Personnel Officer, East Coast Railway, Khurda Road Division, At/PO- Jatni, Dist-Khurda.
5. Guru Charan Padhi, Movement Inspector, East Coast Railway, Bhadrak Railway Station, At/PO-Charampa, Dist-Bhadrak.

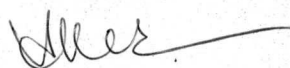
...Respondents

By the Advocate- (Mr. T. Rath)

ORDER (ORAL)

A.K.PATNAIK, MEMBER(J):


Heard Mr. S.N. Sharma, Ld. Counsel appearing for the applicant and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways on whom a copy of this O.A. has already been served, and perused the materials placed on record.



2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 challenging the order dated 23.11.2016 transferring him from the post of Station Manager to the post of Movement Inspector vice Respondent No.5 to the post of Station Manager who is ten years junior to the applicant which par se is illegal, arbitrary and has been done with malafide intention of the authorities. However, ventilating his grievance, applicant has submitted a representation dated 25.11.2016 (Annexure-A/6) before the Senior Divisional Operating Manager, East Coast Railway, Khurda Road Division, (Respondent No.3) and till date no communication has been received from the said Respondent of the outcome on his representation.

3. As it is stated by Mr. Sharma that a representation has been preferred by the applicant and the same is still pending consideration, without waiting for any reply from the Respondents and without entering into the merit of the matter, I dispose of this O.A. at the stage of admission itself by directing Respondent No.3 that if any such representation has been preferred by the applicant on 25.11.2016 and the same is still pending consideration then the same may be considered and disposed of and the result thereon be communicated to the applicant by way of a reasoned/speaking order within a period of two weeks hence.

4. However, as the grievance of the applicant is yet to be considered and in the meantime he is being forced to work under his junior, this aspect of the matter shall be considered by the Respondent No.3 within the four corners of Rules, while disposing of the aforesaid representation. In the meantime, status quo as on date shall be maintained so far as the applicant is concerned.



5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.
6. On the prayer made by Mr. S.N. Sharma, Learned counsel for the applicant, copy of this order along with paper book of O.A. be sent to Respondent Nos. 1, 2, 3 & 4 by Speed Post at the cost of the applicant for which Mr. Sharma undertakes to file the postal requisites by 02.12.2016.


(A.K.PATNAIK)
MEMBER(J)

K.B.

