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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

Original Application No.260/0045 of 2015  
Cuttack, this the 09<sup>th</sup> day of March, 2015

**CORAM**  
**HON'BLE MR. A.K. PATNAIK, MEMBER (J)**  
**HON'BLE MR. R. C. MISRA, MEMBER (A)**

.....  
Bhagirathi Sahu,  
Aged about 42 years.  
Son of Late Bimbadhar Sahu,  
Resident of Gadasila, PS- Sadar, Dist- Dhenkanal.  
At present working as Sr. Gate Keeper in CT-40  
under Sr. Section Engineer, East Coast Railway,  
At/PO/Dist- Dhenkanal.

.....Applicant  
Advocate(s)... M/s. B.S.Tripathy, M.K.Rath, J.Pati, Mrs. M.Bhagat.

**VERSUS**

Union of India represented through

1. The General Manager,  
East Coast Railway, Rail Vihar,  
At/PO-Chandrasekharpur, Bhubaneswar,  
Dist-Khurda.
2. Asst. Divisional Engineer,  
East Coast Railway, Dhenkanal,  
At/PO/Dist-Dhenkanal.
3. Sr. Section Engineer (P.Way),  
East Coast Railway, Dhenkanal,  
At/PO/Dist-Dhenkanal.
4. Sr. Divisional Engineer (Co-ordinator),  
East Coast Railway, Khordha Road,  
Dist-Khurda.

..... Respondents  
Advocate(s)..... Mr. T. Rath



## O R D E R (ORAL)

### A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant in this instant O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, challenges the order of transfer passed by Respondent No.2 vide order dated 14.08.2014 under Annexure-A/1transferring him from CT-40 to CT-22 and the order dated 23.12.2014 passed under Annexure-A/5 rejecting his application for cancellation of transfer. Mr. Tripathy, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant again preferred a representation on 04.02.2015 under Annexure-A/6 before Respondent No.4, which is still pending and the applicant has not yet received any response from the said authority,

3. Mr. T. Rath, Ld. Standing Counsel for the Railways, at the outset, submitted that the applicant has represented <sup>to</sup> ~~the~~ authorities on 04.02.2015 and today being 09.03.2015, it is premature to entertain this O.A. more so when the applicant has been relieved from the present place of his posting. However, Mr. Tripathy, Ld. Counsel for the applicant, submitted that applicant's grievance will be more or less satisfied if a direction can be issued to the Respondent No.4 to consider his representation within a specific time frame.

4. Taking into account the submission made by Mr. Tripathy that in the meantime almost one month time has expired and the representation dated 04.02.2015 is still pending, without entering into the merit of this case, we dispose



of this OA at the admission stage with direction to Respondent No. 4 to consider and dispose of the representation, if the same has been filed and is still pending with him, as per the rules in force and communicate the decision thereof to the applicant within a period of 60(sixty) days from the date of receipt of a copy of this order. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No.4 by Speed Post at the cost of the applicant, for which Mr. Tripathy, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 12.03.2015.

  
(R.C.MISRA)  
MEMBER(Admn.)

  
(A.K.PATNAIK)  
MEMBER(Judl.)

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