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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.455 of 2016
Cuttack this the 12th day of July, 2016

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)
HON'BLE SHRI S.K.PATTNAIK, MEMBER(J)

Boddepallai Ramu, aged about 43 years, Son of B.Tirupati Rao, at present working as a senior Clerk, O/o. Divisional Personnel Officer/East Coast Railwy/Waltair, Andhra Pradesh

...Applicant

By the Advocate(s)-M/s.N.R.Routray, U.K.Bhatta, J.Pradhan, S.K.Mohanty,
T.K.Choudhury & S.Sarkar

-VERSUS-

Union of India represented through:

1. The General Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist-Khura
2. Chief Personnel Officer, East Coast Railway, Rail Vihar, Chandrasekhapur, Bhubaneswar, Waltair, Andhra Pradesh
3. Divisional Railway Manager, East Coast Railway, Waltair Division, At/PO-Dondapathy, Waltair, Andhra Pradesh
4. Senior Divisional Personnel Officer, East Coast Railway, Waltair Division, At/PO-Dondapathy, Waltair, Andhra Pradesh
5. B.Raju, Chief OS, C/o. Senior Divisional Personnel Officer, East Coast Railway, Waltair Division, At/PO-Dondapathy, Waltair, Andhra Pradesh

R
Raju

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By the Advocate(s) Mr.T.Rath

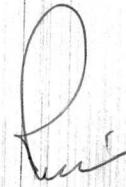
...Respondents

ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.N.R.Routray, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the respondent-railways on the question of admission and perused the records.

2. Applicant is presently working as Senior Clerk, East Coast Railways in Waltair Division. Challenging the order dated 16.3.2016(A/1) whereby he has been posted on transfer to Loco/RGDA, he has moved this Tribunal in this O.A. It is the case of the applicant that against this order of transfer he has submitted a representation dated 21.3.2016(A/3) to the Divisional Railway Manager, Waltair Division, East Coast Railway, who is res.no. 3 in this O.A. However, during the course of hearing on admission, learned counsel for the applicant brought to our notice a Special Circular dated 19.9.2014(A/8) issued by the Railway Board and submitted that it is the General Manager, East Coast Railways, who will decide the representation in such matters. Learned counsel further submitted that in the meantime, applicant has submitted a representation dated 30.6.2016(A/9) to the General Manager, East Coast Railways (res.no.1) in which he has made a detailed submission of his



grievance with a prayer that he should be allowed to continue in the Office of Sr.DOP at Waltair, which is still pending consideration.

3. We have considered the rival submissions. Since a representation is said to be pending, at this stage, without expressing any opinion on the merit of the matter, we would direct the General Manager, E.Co. Railways (res.no.1) to consider and dispose of the representation dated 30.6.2016(A/9) the light of extant rules and instructions, if at all the same is pending at his level, and communicate the decision thereon to the applicant through a reasoned and speaking order within a period of one month from the date of receipt of this order.

4. It is also directed that until a decision on the representation is communicated, status quo in respect of the applicant as on date shall be maintained.

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 the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.3 by Speed Post at the cost of the applicant for which Mr.N.R.Routray undertakes to file the postal requisites by 13.7.2016.



7. Free copy of this order be made over to learned counsel for both the
sides.

S.K.PATNIK
(S.K.PATNIK)
MEMBER(J)

R.C.MISRA
(R.C.MISRA)
MEMBER(A)

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