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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

O.A.No.922 of 2012  
Cuttack this the 18<sup>th</sup> day of December, 2012

**CORAM  
HON'BLE SHRI ASHOK KUMAR PATNAIK, MEMBER(J)**

Gurudas Paul,  
Aged about 49 years  
Son of late Tulasidas Paul  
A P.C.R. Compressor Driver-Cum-Mechanic-II  
O.O. Deputy Chief Engineer/Construction  
E.Co.Rly/JJKR

...Applicant  
(Advocate:Mr.N.Routray)

-VERSUS-

Union of India represented through

1. The General Manager,  
East Coast Railway  
E.Co.R.Sasadan  
Chandrasekharpur  
Bhubaneswar  
Dist-Khurda
2. Chief Personnel Manager  
East Coast Railway  
2<sup>nd</sup> Floor  
South Block  
E.Co.R.Sadan  
Mancheswar  
Bhubaneswar  
Dist-Khurda
3. Senior Personnel Officer/Con./Co-ordination  
E.Co.Rly.  
Rail Vihar  
Chandrasekharpur  
Bhubaneswar  
Dist-Khura

4. Deputy Chief Engineer/Construction  
East Coast Railway  
Jajpur keonjhar Road  
At/PO-Jajpur Road  
Dist-Jajpur
5. Senior DEN/Co-Ordn.  
East Coast Railway  
Khurda Road Division  
At/PO-Jatni  
Dist-Khurda
6. Senior Divisional Personnel Officer  
E.Co.Rly.  
Khurda Road Division  
At/PO-Jatni  
Dist-Khurda

...Respondents

(Advocate: Mr.T.Rath,SC)

### O R D E R (oral)

#### **A.K.PATNAIK, MEMBER (J):**

The Applicant (Gurudas Paul) has filed this Original Application seeking the following reliefs:

- “a. To quash the order of transfer dated 19.09.2012 under Annexure-A/5 so far as the applicant is concern;
- b. And to direct the Respondents to allow the applicant to discharge his duty under Respondent No.4.”

2. In the impugned order dated 19.9.2012 under

Annexure-A/5 the Applicant was repatriated from construction wing to Lien Managing District. Mr. Routray, Learned Counsel for the Applicant submitted that all through from the beginning of his career the applicant has been working in the construction wing and

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therefore, he can at best be transferred to other Divisions but cannot be repatriated to Lien managing district. His contention is that the order of repatriation under Annexure-A/5 being bad in law the same is liable to be quashed. On the other hand Mr. Rath, Learned Standing Counsel appearing for the Railway-Respondents submitted that meanwhile PCR cadre has been abolished. The employees working under PCR have been absorbed in the lien wings and, therefore, there is no illegality in the order at Annexure-A/5. Be that as it may, alleging his grievance the applicant has made representation dated 10.12.2012 at Annexure-A/6 to the Chief Personnel Officer, East Coast Railway, 2<sup>nd</sup> floor, South Block, ECOR Sadan, Mancheswar, Bhubaneswar, Dist. Khurda/Respondent No.2 and this being a matter to be well adjudicated at the first instance by the administrative authority, without entering into the merit of the case, this OA is disposed of with direction to the Respondent No.2 to consider the pending representation at Annexure-A/6 and communicate the decision in a well reasoned order to the Applicant within a period of two months from the date of receipt of copy of this order. Till communication of the decision on the representation of the Applicant, as directed above, status quo, as on the date, in so far as continuance of the applicant in the place/post/unit shall be maintained. There shall be no order as to costs.

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3. Subject to furnishing the postal requisite within a period of two days, as undertaken by Learned Counsel for the Applicant, copy of this order along with OA be sent to Respondent Nos. 2,3,4,5 and 6 for compliance.

  
(A.K. Patnaik)  
Member(Judicial)

