

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.NO. 298 OF 2013
Cuttack this the 2nd day of July, 2013

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)

1. Mrs.Chidambari Sahoo, aged about 36 years, Wife of Biswajit Sahoo, working as Assistant Superintending Officer in the Office of Deputy Director General, NSSO (Field Operations Division), Bhubaneswar, Government of India, Ministry of Statistics and Programme Implementation (MOS &PI), resident of Qr.No.Type-II/286, Old AG Colony, Unit-4, Bhubaneswar, Dist-Khurda, Odisha
2. Biswajit Sahoo, aged about 40 years, S/o. Bikramsen Sahoo, at present working as Senior Section Engineer (Works), Special under Assistant Divisional Engineer, Nagbhir since /February, 2008 at Nagbhir of Nagpur Division of South East Central Railway, resident of Qr.No.Type-II/286, Old AG Colony, Unit-4, Bhubaneswar, Dist-Khurda, Odisha

...Applicants

By Advocate(s)-Mr.N.R.Routray

-VERSUS-

1. Union of India represented through
The General manager, E.Co.Rly., E.Co.R.Sadan, Chandrasekharpur, Bhubaneswar, Dist-Khurda
2. Chief Personnel Officer/East Coast Railway/ECoR Sadan, Chandrasekharpur, Bhubaneswar, Dist-Khruda
3. Senior Divisional Personnel Officer/East Coast Railway/Khurda Road Division, At/PO-Jatni, Dist-Khurda

...Respondents

By Advocate(s)-Mr.T.Rath



ORDER(Oral)HON'BLE SHRI R.C.MISRA, MEMBER(A)

In this Original Application, applicants are wife and husband, respectively. They have moved this Tribunal for transfer of the husband i.e., applicant No.2, who is a railway employee, from South East Central Railway, Nagpur Division to East Coast Railways at Bhubaneswar. It is mentioned in the O.A. that the applicant No.2 had applied for a Zonal transfer in 2009 and this was regretted in letter dated 10.6.2010. The applicant No.1, i.e., wife submitted an application on 5.3.2012 to Sr.DEN, South East Central Railway with a prayer for reconsideration of her husband's transfer, which was again rejected on 7.2.2013. It is interesting to note that applicant No.1 in this case is working as Assistant Superintending Officer in the Deputy Director General, NSSO, under the Ministry of Statistics and Programme Implementation, Bhubaneswar.

2. I have heard Shri N.R.Routray, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel for the Respondent-Railways and perused the materials on record. It is relevant here to refer to Rule-6 of the CAT (Procedure) Rules, 1987, which lays down that "an application shall ordinarily be filed by an applicant with the Registrar of the Bench within whose jurisdiction the applicant is posted for the time being".

3. In the present case the prayer for transfer is in respect of applicant No.2, the husband, who is working in the Nagpur Division of South East Central Railway. Earlier prayers in this regard were made to the Nagpur Division both by the husband and the wife. The present place of posting and working of applicant No 2



is Nagbhira of Nagpur Division. Therefore, as per the provision of Rule-6 of CAT(Procedure) Rules, 1987, this Bench of the Tribunal does not have jurisdiction to entertain this O.A. However, the applicants are at liberty to move the appropriate Bench having jurisdiction over this matter to seek relief.

4. With the above observation and direction, this O.A. is dismissed for lack of jurisdiction.



(R.C.MISRA)
MEMBER(A)

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