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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.NO. 332 OF 2013
Cuttack this the 29th May, 2013

CORAM

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

Jayakrushna Pani, aged about 54 years, S/o. Gopinath Padhi, At-Bank Colony, PO-Sarvadaya Nagar, Puri – presently working as Senior Sectional Engineer in the Office of the DEE/CHG/Puri, East Coast Railway

...Applicant

By Advocate(s)-Mr. ~~K.P.~~ Mishra

-VERSUS-

1. Union of India represented through the General Manager, East Coast Railway, Chandrasekhapur, Rail Vihar, Bhubaneswar, District-Khurda
2. Divisional Railway Manager, East Coast Railway, Khurda Road, PO-Jatni, District-Khurda
3. Sr.Divisional Personnel Officer, East Coast Railway, PO-Jatni, District-Khurda
4. Senior Divisional Electrical Engineer(G), Khurda Road, PO-Jatni, Dist-Khurda

...Respondents

By Advocate(s)-Mr.T.Rath

ORDER

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

This case was taken up on mention to-day. Registry has pointed out certain defects in this O.A. which need to be rectified in course of the day.



2. Heard Shri K.P.Mishra, learned counsel for the applicant. The applicant is working as Senior Section Engineer at Puri and has been transferred to Bhubaneswar vide order dated 3.5.2013 of the Assistant Personnel Officer, (C&S) on behalf of Divisional Personnel Officer, Khurda Road. The case of the applicant is that he is an Office Bearer of a recognized Trade Union in the Railways and therefore, is not liable to be transferred. In support of his case, he has cited a decision of this Tribunal in O.A. No.251/12 decided on 7.5.2012 and has claimed that the present case is similar to the O.A. 251/12.

3. Shri T.Rath, learned Standing Counsel for the Respondents, i.e. Railway Department is present and heard.

4. I find that the applicant has made a representation at Annexure-A/5 on 16.5.2013 to the D.R.M., East Coast Railways, Khurda Road. He also had made a representation dated 13.5.2013 earlier which has been annexed to the O.A. Shri T.Rath, learned Standing Counsel has no specific instructions about the disposal of the above said representations. However, at the stage of admission, without going into the merits of the matter, I direct the D.R.M., East Coast Railway, Khurda Road (Res.No.2) in the O.A. to dispose of the representations, if pending, at his level with a reasoned and speaking order and communicate the decision thereon to the applicant within a period of four weeks of the date of receipt of this order.

5. Till such time his representations are not disposed of, the status quo of the applicant may be maintained.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.



7. Send a copy of this order along with paper book of the O.A. to Respondent No.2 for compliance and free copies of this order be made over to the learned counsel for both the sides.



(R.C.MISRA)
MEMBER(A)

BKS

