

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00635 OF 2014
Cuttack, this the 22nd day of August, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)

.....

Manoj Kumar Pandey,
Aged about 47 years,
Son of late Bimaleswar Prasad Pandey,
Resident of Kanchan Bazar, PO/PS/Dist. Dhenkanal,
At present working as
Chief Divisional Transportation Inspector(Movement)/Movement Inspector,
under Khurda Road Railway Division,
East Coast Railway, At/PO. Meramandali,
PS. Motanga, Dist. Dhenkanal.

.....Applicant

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

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, Rail Vihar,
At/PO-Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
2. Sr. Divisional Personnel Officer,
East Coast Railway, Khurda Road Railway Division,
At/PO- Jatani, Dist- Khurda.
3. Sr. Divisional Operations Manager,
East Coast Railway, Khurda Road Railway Division,
At/PO- Jatani, Dist- Khurda.

..... Respondents

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



O R D E R (ORAL)

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

Heard Mr. B.S.Tripathy, Ld. Counsel for the applicant, and Mr. T.Rath, Ld. Standing Counsel for the Railways, on whom a copy of this O.A. has already been served.

2. In this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant challenges the order dated 08.07.2014 transferring him from Meramandali to Talcher in his existing post of Chief D.T.I.(Movement)/Movement Inspector. It is the case of the applicant that he was transferred from Talcher to Meramandali only on 23.04.2012 and within two years he has been again transferred to Talcher although there is minimum assured tenure of four years. He further submits that he has been transferred in the midst of the academic session. Mr. Tripathy, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant preferred representation before Respondent No.3 under Annexure-A/3 dated 11.07.2014 but till date no response has been received by him.

3. Mr. T.Rath, Ld. Standing Counsel appearing for the Railways, submits that he has no immediate instruction regarding status of the representation as stated above.

4. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him by Respondent No.3 on the representation submitted vide Annexure-A/3 dated 11.07.2014, without entering into the merit of this matter, this O.A. is disposed of at this admission stage with direction to Respondent No.3 to consider the grievance of the applicant as referred to by him in his representation, if the



same is still pending, and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 60 (sixty) days from the date of receipt of copy of this order. It is further directed that till the representation is considered and disposed of, status quo as of date, in respect of the applicant, will be maintained. No costs.

5. As agreed to by Ld. Counsel for both the sides, copy of this order, along with the paper book, be transmitted to Respondent No.3 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 25.08.2014.


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

RK