

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00859 of 2014
Cuttack, this the 2nd day of December, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R. C. MISRA, MEMBER (A)

.....

Bhagirathi Sahu,
Aged about 42 years,
Son of Late Bimbadhar Sahu,
Resident of Gadasila, PS- Sadar, Dist-Dhenkanal,
At present working as Sr. Gate Keeper in CT-40
Under Sr. Section Engineer, East Coast Railway,
At/PO/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-Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
2. Asst. Divisional Engineer,
East Coast Railway, Dhenkanal,
At/PO/Dist-Dhenkanal.
3. Sr. Section Engineer (P.Way),
East Coast Railway, Dhenkanal,
At/PO/Dist-Dhenkanal.

..... Respondents

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

.....

O R D E R (ORAL)

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

Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant, and Mr.
T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a



copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant in this instant O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, challenges the order of transfer passed by Respondent No.2 vide order dated 14.08.2014 transferring him from CT-40 to CT-22 within the same Dhenkanal District. Mr. Tripathy, Ld. Counsel for the applicant, submitted that the applicant was transferred to the present place of posting ~~as~~^{to} because earlier while continuing at CT-22 some disturbance was created by the local people. Mr. Tripathy further submitted that ventilating his grievance, the applicant has already made a representation before Respondent No.2, i.e. Asst. Divisional Engineer, E.Co.Railway, on 22.08.2014, which is still pending. Mr. Tripathy prayed that the authorities may be directed to consider the applicant's case sympathetically.

3. As Mr. Tripathy, Ld. Counsel for the applicant, submitted that the representation, so preferred by the applicant, is still pending and the applicant has not yet received any response from Respondent No.2, without entering into the merit of this case, we dispose of this OA at this admission stage with direction to Respondent No. 2 to consider the representation, if the same is still pending with him, and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 30(thirty) days from the date of receipt of a copy of this order. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order. Though, we are not inclined to stay the order dated 14.08.2014, however, we direct that status quo





5

in respect of the relieving of the applicant will be maintained till the disposal of the representation, if not yet disposed of.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No.2 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 05.12.2014.


(R.C.MISRA)
MEMBER(Admn.)


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

RK