

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

O.A. 618 OF 96

Present

Hon'ble Dr. B.C. Sarma, Member (A)

Hon'ble Mr. P. Dutta, Member (J)

SHAMBHOO NATH SHARMA

-Vs-

UNION OF INDIA & ORS

For Applicant Mr. B. Sinha Roy, Counsel.

For Respondents Mr. P.K. Arora, Counsel.

Heard on : 17-6-96

Ordered on : 17-6-96

O R D E R

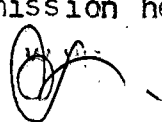
B.C. Sarma, AM

The applicant is a Diesel Foreman Gr-B in the Burdhaman Diesel Shed, Eastern Raily. By an order dtd 17-5-95, he was transferred to Patratu Diesel Shed. The applicant contends that he is a cardiac patient, and, therefore, he cannot proceed to Patratu where there is no medical facility for the treatment of cardiac patients and he has filed this application with the prayer that a direction be issued on the respondents to revoke the impugned transfer order.

2. When the admission hearing of the case was taken up today, our attention has been invited to another order dtd 28-5-1996 whereby in modification of the earlier transfer order, the applicant has now been transferred to Jamalpur. Id. Counsel for the applicant still contends that the applicant is unable to move to Jamalpur because there is no facility for better medical treatment regarding cardiac ailments. The applicant now intends to go to Mughalsarai.


3. Mr. Arora, Id. counsel appearing for the respondents opposes the application. He submits that there was a representation from the applicant also before the authorities concerned against the transfer to Patratu and on the basis of the said representation, the transfer order has been amended. He, therefore, prays for dismissal of the application.


4. During admission hearing, Id. counsel for the applicant



was insisting that the applicant should be sent on transfer to Mughalsarai - the place being nearer to his home town. But that cannot be a consideration for transferring a senior railway employee from one place to another. After-all, transfer is a normal incidence of service ~~life~~ and this is done in the interest of public service. We find that the respondents had amended the ^{earlier} transfer order considering his representation and now he has been transferred to Jamalpur. Jamalpur is a big railway establishment town. The applicant should join where he has been posted now. If he finds that there is no suitable facility for his treatment at Jamalpur, he may represent to the respondent railways as early as possible and if such a representation is made, the railway respondents shall also consider his prayer sympathetically for posting him to a place where there is better medical facility. The applicant is directed to join at Jamalpur within one month from today.

5. The application is, thus, disposed of at the stage of admission itself without any order as to costs.


(P. Dutta)
Member (J)


(B.C. Sarma)
Member (A)

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