

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

Date of order : 10.07.1997

O.A. NO. 210/97

GULAB CHAND MEENA, S/O SHRI B.L. MEENA, WORKING AS
SO UNDER DY.CHEIF ENGINEER (C), NORTHERN RAILWAY,
BIKANER, R/O Q.NO.164-D, NEW RAILWAY COLONY, BIKANER.

... Applicant

VS.

1. UNION OF INDIA THROUGH GENERAL MANAGER, NORTHERN RAILWAY, BARODA HOUSE, NEW DELHI.
2. FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER, NORTHERN RAILWAY, BARODA HOUSE, NEW DELHI.
3. DY.CHEIF ENGINEER (C), NORTHERN RAILWAY, BIKANER.
4. DIVISIONAL ACCOUNTS OFFICER, NORTHERN RAILWAY, BIKANER.
5. WORKS ACCOUNTS OFFICER, WORKSHOP, NORTHERN RAILWAY, BIKANER.

... Respondents

For the Applicant : Mr. Y.K. Sharma, Advocate.

CORAM

THE HON'BLE MR. A.K. MISRA,
JUDICIAL MEMBER

BY THE COURT:

The applicant Shri Gulab Chand Meena, who is working in the office of Divisional Accounts Officer, Northern Railway, Bikaner, has filed this O.A. with the prayer that transfer order, Annex.A-1, be quashed and the respondents be directed to post the applicant back in the office of respondent No. 4.

3/11

2. I have heard the learned counsel for applicant and gone through the record.

3. It appears that the applicant has made a representation (Annex.A-4) to the concerned authorities against the transfer order (Annex.A-1), which he has sought to be quashed. This representation was made by the applicant on 13.6.1997. In my opinion, the applicant has approached this Tribunal before lapse of a reasonable time in which the authorities concerned could have disposed of his representation. The applicant has stated that due to incurable disease of his mother, he is not in a position to carry-out the transfer order. But applicant has not named the disease by which his mother is suffering. It also appears that the applicant has been spared by respondent No.4 on 24.6.93 vide Annex.A-3 to carry-out the transfer, therefore, there is no question of staying the operation of transfer order. However, since the representation of the applicant is pending with the authorities, a direction is required to be issued to the concerned authorities for considering the representation of the applicant on merits.

4. The O.A. is, therefore, disposed of at the stage of admission with a direction to the respondent No.2 to decide the representation of the applicant dated 13.6.97 (Annex.A-4) by a speaking order within a period of one month from the date of receipt of a copy of the order. A copy of this order alongwith a copy of the O.A. be sent to respondent No. 2 by registered post for compliance.

5. If the applicant is aggrieved by the order of the respondent No.2 in this connection, he may approach the Tribunal if so advised.

S. K. Misra
(A.K.MISRA)
Judicial Member

MEHTA

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① D/Copy
C/S 11/7/97

2 Copy of order Respo. No 1605
Reg. AID and Annex 16019. Vide No 110 to 124
AID filed in Ward set. dt 10.7.97
AID to 4 filed in Ward set. dt 11.7.97
3 Lib: AID A-1 filed in Ward set. dt 12.7.97
Set. Index
11.8.92

Part II and III of the
in my presence on 18/11/03
under the supervision of
Section Officer as per
order dated 11/10/03
Mallikarjun 18/11/03
Section Officer (Record)