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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 26.04.1999.

O.A. No. 108/1999

1. Ghan Shyam S/o. Shri Goverdhan Dan C/o. Loco Foreman, Churu, Rajasthan.
2. Shyam Lal S/o. Shri Kailash Narain C/o. Loco Foreman, Churu, Rajasthan.
3. Ashok Kumar S/o. Shri Om Prakash C/o. Loco Shed (SIC), Ratangarh, Churu, Rajasthan.
4. Prithvi Singh S/o. Shri Mal Singh C/o. Loco Shed (SIC), Ratangarh, Churu, Rajasthan.
5. Chander Pal Singh, S/o. Shri Radha Kishan C/o. Loco Shed (SIC), Ratangarh, Churu, Rajasthan.
6. Bhanwar Singh S/o. Shri Tulsi Ram C/o. Loco Shed (SIC), Ratangarh, Churu, Rajasthan.
7. Saji Mohammed S/o. Shri Gulam Mohammed, C/o. Loco Foreman, Sadulpur, Churu, Rajasthan.
8. Shyam Sunder S/o. Shri Kurda Ram C/o. Loco Foreman, Sadulpur, Churu, Rajasthan.
9. Shiv Ratan S/o. Shri Ram Lal, C/o. Loco Foreman, Lalgarh, Churu, Rajasthan.

Applicants Nos. 1 to 9 are working as Fireman II (under Northern Railway), Bikaner Division.

... Applicants.

v e r s u s

1. Union of India through its General Manager, Baroda House, Northern Railway, New Delhi.
2. General Manager, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Bikaner, Rajasthan.

... Respondents.

Mr. Dharendra Singh, Counsel for the applicants.

C. K. Singh



CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Mr. Gopal Singh, Administrative Member.

ORDER

(Per Hon'ble Mr. Gopal Krishna)

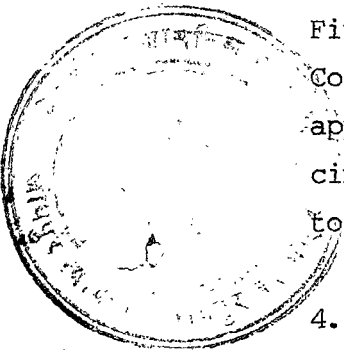
Applicants, named above, have mainly prayed in this application under Section 19 of the Administrative Tribunals Act, 1985, for quashing the impugned order at Annexure A/1 dated 17.3.1999, by which they were transferred from Bikaner Division to other Divisions.

2. We have heard the learned counsel for the applicants and have carefully perused the records.

3. The grievance of the applicants is that while working as Firemen in the Bikaner Division, they were declared as surplus and thereafter, they were sought to be transferred from the Bikaner Division to other Divisions despite the fact that no inter divisional transfer is permissible particularly when the respondents have already taken options from them and other Firemen for their appointment in other posts, i.e., Ticket Collectors, Booking Clerks etc. The learned counsel for the applicants has failed to show any provision by which, under the circumstances noted above, the applicants could not be subjected to inter division transfer.

4. We do not find any substance in this application. It is, therefore, dismissed at the stage of admission.

5. Let a copy of the O.A. and the annexures thereto be sent to the respondents alongwith a copy of this order.


Gopal Singh
(Gopal Singh)
Adm. Member

Gopal Krishna
(Gopal Krishna)
Vice Chairman

CVR.

Part II and III destroyed
in my presence on 4-7-99
Under the supervision of
Section Officer (1) as per
order dated 16-1-99
Section Officer (Record)

Copy of order
OA & MA sent to
Pet, & Copy of order (OA & MA)
orig. w/ petition, OA & MA
sent to R/A ^{to B} 7/3 by Regd
AD vol. no. 146 to 149

4-5-99

4/5/99