

(5)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR.

1.O.A. No. : 89/1999

Date of decision: 23.6.99

1.O.A. No. : 89/1999

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1. Shri Mukesh Kumar,  
S/o Shri Pyare Lal,  
R/o Loco Shed, Railway Colony,  
Hanumangarh, Rajasthan.
2. Shri Ramesh Kumar,  
S/o Shri Nathu Ram,  
R/o Loco Shed, Railway Colony,  
Hanumangarh, Rajasthan.
3. Shri Radhey Shyam,  
S/o Shri Lekh Ram,  
R/o Loco Shed, Railway Colony,  
Hanumangarh, Rajasthan.
4. Mukesh Kumar,  
S/o Shri Janardan,  
R/o Loco Shed, Railway Colony,  
Hanumangarh, Rajasthan.
5. Abdul Aziz,  
S/o Shri Mehboob,  
R/o Loco Shed, Railway Colony,  
Hanumangarh, Rajasthan.
6. Ashok Kumar,  
S/o Shri Chottey Lal,  
R/o Loco Shed Railway Colony,  
Hanumangarh, Rajasthan.  
  
(1-6 Fireman-II, at Hanumangarh)
7. Hari Ram, "B"  
R/o Locoshed, Railway Colony,  
Churu, Rajasthan.
8. Tara Chand "M"  
R/o Loco Shed, Railway Colony,  
Churu, Rajasthan.
9. Yunis Khan,  
R/o Loco Shed, Railway Colony,  
Churu, Rajasthan.
10. Ayub Khan "M"  
R/o Loco Shed, Railway Colony,  
Churu Rajasthan.

*(Signature)*



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11. Ahmed Ali "A",  
R/o Loco Shed, Railway Colony,  
Churu, Rajasthan.

12. Veer Singh,  
R/o Loco Shed, Railway Colony,  
Churu, Rajasthan.

(7 to 12 Fireman II at Churu)

13. Jai Bhagwan Singh,  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

14. Deen Dayal Singh,  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

15. Ajay Shankar Pandey,  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

16. Azam Sher,  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

17. Hari Narain,  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

18. Niyaji Mohammad "J",  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

19. Paramjeet Singh(T),  
R/o Loco Shed, Railway Colony,  
Lalgah, Bikaner, Rajasthan.

(13 to 19 Fireman II at Lalgah)

20. Surender Kumar,  
S/o Shri Shri Ram,  
R/o L-12 F, Railway Colony,  
Sadalpur, Rajasthan.

21. Fariduddin,  
R/o Loco Shed, Railway Colony,  
Sadalpur, Rajasthan.

22. Laxmi Narain,  
R/o Loco Shed, Railway Colony,  
Sadalpur, Rajasthan.

(20 to 222 Fireman II at Sadalpur).

*Capable of*

...Applicants.

Versus



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1. Union of India,  
Thr. its General Manager (N. Rly.),  
Baroda House,  
New Delhi.
2. General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
3. Divisional Railway Manager,  
Northern Railway,  
Bikaner, Rajasthan.

..Respondents.

None present for the applicants.

Mr. Manoj Bhandari, counsel for the respondents.

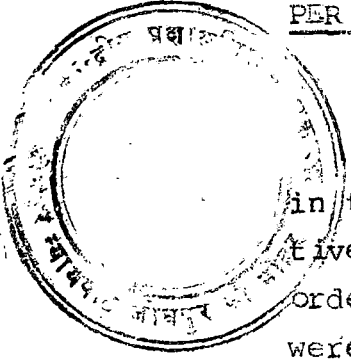
CORAM :

CORAM :

Hon'ble Mr. A.K. Misra, Judicial Member.

Hon'ble Mr. Gopal Singh, Administrative Member.

PER HON'BLE MR. GOPAL SINGH :



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 respondents 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

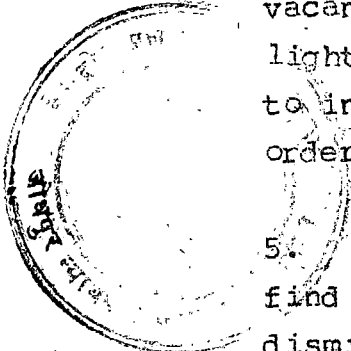
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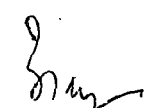
...4.

appointment in other posts, i.e., Ticket Collectors, Booking Clerks etc.

4. The respondents in their reply have also produced a copy of the minutes of the meetings held with the recognised staff unions which has been marked as Annexure R/4. It was decided in this meeting that all the Firemen II may be called for screening/selection for the post of Diesel Assistant and on being found suitable they may be posted as Diesel Assistants against the existing vacancies on the division, if any, and remaining may be directed to UMB and DLI divisions for redeployment against vacancies which are available with them. In the light of above agreement, we do not find any reason to interfere with the implementation of the impugned order.

5. In the light of above discussion, we do not find any merit in this application and it is, therefore, dismissed with no order as to costs.

  
(GOPAL SINGH)  
MEMBER (A)

  
(A.K. MISRA)  
MEMBER (J)

Part II and III destroyed  
in my presence on 6-7-2006  
under the supervision of  
section officer ( ) as per  
order dated 16/8/2006

Section officer (Record)

Copy of order sent to Applicant No 8  
is returned back as undelivered  
and the same is filed in P.T II

18/9/88

Copy of order  
sent to Pet. by Regd  
AD vide no 207 & 208  
dt 5/7/99

2/7/99