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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 214/2006

Date of order: 09.10.2006

HON'BLE MR. J. K. KAUSHIK, JUDICIAL MEMBER

Roshan Ali S/o Sh. Gaashi Khan, Age 51 years, by caste Mohammedan, Resident of Street No. 23, Rampura Basti, Lalgarh, Bikaner. Presently posted as Pointsman - 'A' at Lalgarh Station, N.W. Rly. Distt. Bikaner.

...Applicant.

Mr. Sandeep Shah, counsel for the applicant.

VERSUS

1. Union of India, through the General Manager, North Western Railway, Headquarter Office, Jaipur.
2. Divisional Railway Manager, North Western Railway, Bikaner.
3. Divisional Personnel Officer, North Western Railway, Bikaner.

...Respondents.

Mr. Manoj Bhandari, counsel for the respondents.

ORDER

At the very outset, learned counsel for the applicant has invited my attention to Annexure A/6 dated 05.09.2006 medical certificate issued in respect of wife of the applicant and has submitted that there is no proper medical facility at Suratgarh Thermal Plant (STPS), where he is ordered to be posted vide impugned order. He also submitted that the applicant is also faced with a peculiar domestic problems. On specific query, it was submitted that the aforesaid medical certificate has neither been shown to the Competent Authority along with his representation nor subsequently. He, however, submits that he may, now, be permitted to make another

representation for considering his transfer to any other place where suitable medical facilities are available and in that he would not press the instant Original Application.

Learned counsel for the respondents has been fair enough in submitting that the respondents would have no objection to such request if made and would invariably reconsider the same as per the rules.

In view of the above, no adjudication on merits is required. The applicant may make a representation to the Competent Authority bringing out the medical problems faced by his family members within a period of fortnight from today and the Competent Authority shall consider the same as early as possible and in any case not later than a month from date of its submission. It is scarcely necessary to mention that the representation of the applicant shall be disposed of by meeting out all the points raised therein by passing a speaking order. OA stands disposed of, accordingly. The parties are directed to bear their own costs.

J K Kaushik

[J K Kaushik]
Judicial Member

Kumawat

Serial copy
of Reg. Form
Senate Slets
Act 10
11/10/06

Part II and III destroyed
in my presence on 11/14/06
under the supervision of
Section Officer (1) as per
order dated 3/1/01
Section Officer (Record)

R/Copy
ML
12/14/06