

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 164/2008
JODHPUR THIS IS THE 24th DAY OF NOVEMBER, 2008**

CORAM :

**HON'BLE MR. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER**

Akhtar Ali S/o Shri Aamir Ali aged about 47 years, resident of Quarter No. 143-B, New Railway Colony, Bikaner at present posted as Office Superintendent Grade-I in the office of Senior Material Manager, North Western Railway, Lalgarh, Bikaner (Raj).

.....Applicant

For Applicant : Mr. Hemant Shrimali, Advocate.

VERSUS

- 1- The Union of India through General Manager, North Western Railway, Divisional Office, Jaipur.
- 2- The Divisional Railway Manager, North Western Railway, Divisional Office, Jodhpur.
- 3- Dy.Chief Materials Manager, North Western Railway, Divisional Office, Jodhpur.
- 4- The Senior Materials Manager, North Western Railway, Bikaner.

.....Respondents.

For the Respondents : Mr. Salil Trivedi, Advocate.

.....

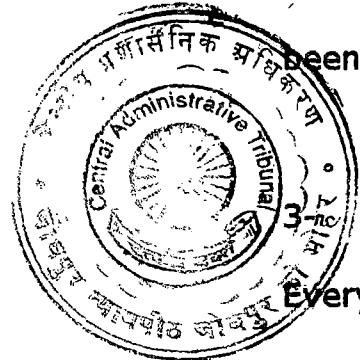
ORDER

[PER GEORGE PARACKEN, JUDICIAL MEMBER]

Heard the learned counsel for both sides.

- 2- The applicant's grievance is against the Annex.A/1 transfer order dated 1st August, 2008, by which he has been transferred along with the post, from Bikaner to Bhagat-Ki-Kothi, Jodhpur. He has also aggrieved by the Office Order Annex. A/2 dated 2nd August, 2008 by which he has been spared on 2.8.2008. His contention is that his transfer was on mala fide grounds as the disciplinary proceedings

under the Railway Servants (Discipline and appeal) Rules, are still pending against him at the present place of posting. His further contention is that after Annex. A/1 order has been issued he has not been given any joining time by the respondents.



We do not intend to go into the merits of this case at this stage. Every employee has a right to make a representation against the transfer order made against him. The applicant is therefore given the liberty to make a detailed representation to the respondent No. 3 – Dy. Chief Material Manager, North Western Railway, Divisional Office, Jodhpur against the aforesaid Annex. A-1 transfer order within three days from the date of receipt of this order. The respondent No. 3, on receipt of the representation, shall consider it in accordance with the rules and guidelines, if any, followed in the Department and give a detailed and reasoned reply to the applicant within two weeks' thereafter. Till such time, the interim order granted on 13th August, 2008 by this Tribunal, shall continue.

4- The O.A. is disposed of with the aforesaid directions with no orders as to costs.

Tarsem Lal
(Tarsem Lal)
AM

George Paracken
(George Paracken)
JM

~~P. copy~~
~~8/11/08~~
~~2001 Received~~
~~2001 @ 1600 28/11/08~~

Part II and III destroyed
in my presence on 19/11/2014
under the supervision of
section officer (J) as per
order dated 19/11/2014


Section officer (Record)