

YK

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH AT JODHPUR**

**Original Application No.369/2012**

**Date of decision: 04.09.2012**

**CORAM**

**HON'BLE MR. G. GEORGE PARACKEN, JUDICIAL MEMBER**  
**HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER**

R.L. Gajja S/o late Sh. Shiv Prasad Ji Gajja, aged 49 years, R/o 160, Ist 'C' Road, Sardarpura, Jodhpur, Rajasthan. Office Address: Dy. CME, NWR, Jodhpur.

**....Applicant**

**(By Advocate Mr. Pramendra Bohra)**

**Vs.**

1. Union of India through the General Manager, North Western Railway, Near Jawahar Circle, Head Quarter Office, Jaipur.
2. The Chief Mechanical Engineer, North Western Railway, Jawahar Circle, Head Quarter Office, Jaipur.
3. The Chief Works Shop Manager, Railway Work Shop, Near Railway Station, Jodhpur.

**...Respondents**

**ORDER**

**Per : Hon'ble Mr. G. George Paracken, Judicial Member**

The applicant is aggrieved by the Annexure-A/1 order dated 29.08.2012 by which he has been transferred and posted as CWM/BKN, vice Shri D. Balaji. His contention is that he has been subjected to frequent transfers by the respondents but he has carried out all the previous transfer orders without any protests. His further contention is that a number of his seniors have been retained in Jodhpur and they have never been subjected to any transfer so far.

8

2. As far as his present transfer order is concerned, he has submitted that one of his children is studying in 7<sup>th</sup> standard and the other one in 12<sup>th</sup> standard and it will adversely affect their studies.

3. We have heard the Learned Counsel for the applicant. It is seen that the applicant has not made any representation against the impugned transfer order to the authorities concerned.

Therefore, this OA is premature. However, in the interest of justice, we permit the applicant to submit a representation against the impugned transfer order to the competent authority of the respondent within a period of 10 days from today. On receipt of such a representation, the said authority shall consider the same and pass a reasoned and speaking order within a period of one month, under intimation to him. Till such time, the impugned Annexure-A/1 transfer order dated 29.08.2012 is stayed and it shall not be given affect to.

4. With the aforesaid directions, this OA is disposed of. There shall be no order as to costs.

  
**[ BK Sinha ]**  
**Administrative Member**

  
**[G. George Paracken]**  
**Judicial Member**

copy received  
5/19/2012