

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH.

No. O.A. 1009 of 1997.
(Unlisted)

Present : Hon'ble Dr. B. C. Sarma, Member (A)

Hon'ble Mr. D. Purkayastha, Member (J)

U. K. MONDAL

Vs.

1. Union of India, through the
General Manager, Eastern Railway,
Calcutta.

2. The Asstt. Personnel Officer,
Eastern Railway, Howrah, in the
office of the Div. Railway Manager,
Howrah.

... Respondents.

For applicant : Mr. B. Chatterjee, counsel.

For respondents : Mr. P.K.Arora, counsel.

heard on : 1.9.97 :: ordered on : 1.9.97.

O R D E R

B.C.Sarma, AM

This application has been moved as an unlisted matter by Mr. B. Chatterjee, ld. counsel for the applicant. The copy of the application has been served on the other side.

2. The applicant is an Electrical Supervisor functioning under the respondents. He has been transferred by the impugned order dated 9.7.97, as set out in annexure-A1 to the application, from Howrah to Rampurhat. The applicant further contends that the post he holds at Howrah has also been transferred along with the incumbent and it has been done by the respondents in a malicious manner and on extraneous consideration. The applicant submitted a representation against the transfer order, but it appears that the representation has not yet been disposed of. Hence the application.



3. Mr. P.K.Arora, ld. counsel, appears for the respondents. Mr. Chatterjee, ld. counsel for the applicant, prays for an interim order and also submits that the court may consider whether this application may be treated as a representation and disposed of by the railway authorities. Mr. Arora, ld. counsel, does not have any objection to the second prayer of Mr. Chatterjee, but he submits that no interim order is called for in this case since the impugned order was passed as early as in July, 1997 and this application ^{the application} has moved today. He also submits that the representation has been made to the Asstt. personnel Officer, Howrah. However, Mr. Chatterjee submits that the matter was urgent and that is why he moved this application.

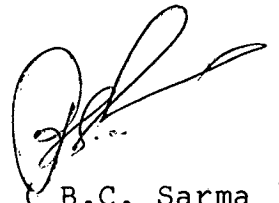
4. We have heard the ld. counsel for both the parties and perused records. We are of the view that appropriate order to be passed in this case will be to give a suitable direction upon the respondents in this case.

5. In view of the above, the application is disposed of, at the stage of admission itself, with the direction on the respondents No.1, General Manager, Eastern Railway, Calcutta that he shall consider the instant application as a fresh representation and shall dispose it of within a period of one month from the date of communication of this order. Till the date of disposal of the said representation, the impugned order of transfer is stayed. No order is passed as regards costs.



(D. Purkayastha)

MEMBER(J)



(B.C. Sarma)

MEMBER (A)