

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.500 of 2000.

Wednesday this the 26th day of July 2000.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

P. Raveendran,  
Junior Engineer Grade-I,  
Carriage & Wagon,  
Southern Railway,  
Mangalore.

Applicant

(By Advocate Shri. T.C.Govindaswamy)

Vs.

1. Union of India, represented by  
the General Manager,  
Southern Railway,  
Headquarters Office,  
Madras -3.
  2. The Divisional Railway Manager,  
Southern Railway, Palghat.
  3. The Divisional Personnel Officer,  
Southern Railway, Palghat.
  4. The Divisional Mechanical Engineer,  
Southern Railway, Palghat.
- Respondents

(By Advocate Shri. K. Karthikeya Panicker)


The application having been heard on 26th July 2000  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant, an Ex-Serviceman re-employed as  
Junior Engineer (Carriage & Wagon) Grade, at Mangalore Railway  
Station, is aggrieved that without any proper reason and  
authority the order of his transfer to Calicut approved by the

...2/-




2nd respondent issued by order (A-3) dated 17.9.99 has been cancelled by order (A-6) dated 10.2.2000. It is alleged in the application that the applicant is suffering from Brain Tuberculoma, that taking into consideration the pathetic physical condition of the applicant, he was given an order of transfer on 17.9.99 and that the impugned order (A6) has been issued in retaliation to his representation to give effect to A3 order. The applicant has prayed that impugned order A-6 may be set aside and the respondents 3 & 4 be directed to ensure the relief of the applicant to Calicut in terms of A3 forthwith.

2. The 3rd respondent has filed a reply statement on behalf of all the respondents. It has been contended that the cancellation of the order of transfer is on account of the fact that there is shortage of hand at Mangalore.

3. When the application came up for hearing counsel on either side agree that the application may be disposed of permitting the applicant to make a detailed representation to the 2nd respondent projecting his health problems as also other difficulties, and giving an appropriate direction to the 2nd respondent to consider the matter sympathetically and to give the applicant an appropriate reply within a short time.

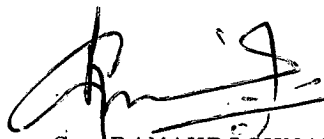
4. In the light of the submission made by the learned counsel of the parties the application is disposed of permitting the applicant to make a detailed representation

..3/-



within two weeks to the 2nd respondent projecting his difficulties including his health problems enclosing supporting documents, if any, and directing the 2nd respondent that, if such a representation is received, the same shall be considered and disposed of taking into account the physical condition of the applicant and other relevant aspects and to give an appropriate reply to the applicant as expeditiously as possible at any rate within a period of one month from the date of receipt of the representation. No costs.

Dated 26th July 2000.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

rv

List of Annexures referred to in the order:

Annexure A-3: True copy of letter No. J/P 535/V/1-Vol.XVII (Pt.) dated, 17.9.99 issued by the 3rd respondent.

Annexure A-6: True copy of Memorandum No. J/P 535/V/I/Vol.XVII dated, 10.2.2000 issued by the 3rd respondent.