

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.232/05

Friday this the 1st day of April 2005

C O R A M :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER**

P.M.Balan,
S/o.late Pacher,
Senior Non Artisan Khalasi,
O/o the Section Engineer (Works)
Southern Railway, Palakkad Division,Calicut.
Residing at Railway Quarters No.132 D,
Railway Colony, Calicut – 1.

...Applicant

(By Advocate Ms.Latha Prabhakaran)

Versus

1. Union of India represented by the Secretary,
Ministry of Railways, Rail Bhavan,
New Delhi.
2. The General Manager,
Southern Railway, Chennai.
3. The Senior Divisional Personnel Officer,
Southern Railway, Palghat.
4. The Section Engineer,
Southern Railway, Calicut.
5. M.E.Rajendran,
S/o.Achuthan,
Senior Non Artisan Khalasi,
O/o the Section Engineer (Works),
Southern Railway, Palakkad Division, Calicut.
Residing at Railway Quarters No.144 D,
Railway Colony, Calicut – 1.

...Respondents

(By Advocate Mr.K.M.Anthru)

This application having been heard on 1st April 2005 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

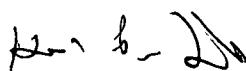
The applicant was working as Non Artisan Khalasi and was entrusted with the particular job of valve man under the 4th respondent. The applicant



is highly aggrieved by the arbitrary and illegal action taken by the 4th respondent of transferring the applicant from the post of valve man. The applicant has made a representation (Annexure A-4) to the 4th respondent which has not been disposed of yet. Under these circumstances the applicant has filed this application seeking the following reliefs :

1. To call for the records leading to Annexure A-4 and direct the 4th respondent to cancel the transfer made in respect of the applicant w.e.f. 14.3.2005 from the post of valve man and re-instate him as valve man.
2. To issue a direction to the 4th respondent to consider and pass orders in Annexure A-4 representation after affording an opportunity to the applicant to be heard.
2. When the matter came up for hearing Ms.Latha Prabhakaran appeared for the applicant and Shri.K.M.Anthru appeared for the respondents. Learned counsel for the applicant submitted that he will be satisfied if a direction is given to the 4th respondent to consider and dispose of Annexure A-4 representation of the applicant within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.
3. In the light of what is stated above and in the interest of justice, we direct the 4th respondent to consider and dispose of Annexure A-4 representation of the applicant within a period of three months from the date of receipt of a copy of this order. The O.A is disposed of at the admission stage itself. In the circumstances, no order as to costs.

(Dated the 1st day of April 2005)



H.P.DAS
ADMINISTRATIVE MEMBER

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K.V.SACHIDANANDAN
JUDICIAL MEMBER