

(AS)

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH AT LUCKNOW.

Registration C.A. 213 of 1991

Jaleba Devi Applicant.

Versus

Union of India and others Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. A.B. Gorthi, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

As a short question is involved in this case and pleadings of the case are complete, we have heard the applicant in person and the learned counsel for the respondents and disposed it of finally. Admit.

2. The applicant's husband was an ~~Employee of Army~~ Protection Force in N.E. Railway who died in harness on 15.6.1973 in a train accident. Consequently, on compassionate ground, the applicant was appointed as lady waterwomen at Sitapur. In the year 1974, from Sitapur she was transferred to Lucknow. According to the applicant she remained sick for sometime and she requested for change of category and on medical recommendations, because of 'satica' pain she was transferred to waiting room. Now by the impugned order, from the waiting room, she has been transferred as a waterwomen ~~Bikaner~~. The applicant made representation against the same and according to the respondents because of administrative exigencies, she was transferred and there were also confidential reports in this behalf. ~~Subsequently, the applicant was transferred back again to Lucknow as 'Naya'.~~

3. The grievance of the applicant is that her category has been changed and she was appointed as water-

women. As a matter of fact, the applicant ^{was appointed} on compassionate ground in place of her husband. The applicant was appointed at Sitapur and she preferred her transfer to Lucknow and she was transferred, meaning thereby her services were transferred and she had no objection. Later on she was against transferred to Sitapur which she has not accepted on the ground that her children are studying at Lucknow. Now the applicant has pointed out the statica pain difficulty, but the Railway Administration has given no option to her regarding her transfer. In case, the applicant points out any other job ^{which} for which she ^{was} found to be fit, by the Railway Administration and in respect of which, it can be said that there can not be any occasion for complaint, the Railway Administration may consider her for her appointment either in Lucknow or near about from where she can every day come and go on the said post. The application is disposed of with the above observations. Parties to bear their own costs.

J. M. S. S.
Member (A)

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Vice-Chairman

Dt: 10.12.1991

(n.u.)