

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH  
O.A. No. 536/05

LUCKNOW, THIS THE 23<sup>rd</sup> day of December, 2005

HON'BLE SHRI JUSTICE M.A. KHAN, V.C.

Manmohan Srivastava aged about adult son of late Shri A.B. Lal, resident of C/o Station Bareilly.

Applicant

By Advocate Shri Praveen Kumar

Vs.

1. The General Manager Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Lucknow.

Respondents

By Advocate Shri S.P. Singh for Shri S. Verma.

Order(oral)

By Hon. Shri Justice M.A. Khan, V.C.

1. The present O.A. is filed by the applicant for quashing the order dated 7.7.03 and 5.6.03 transferring the applicant from Lucknow Division to Moradabad Division and for further direction that the applicant be transferred back to Lucknow Division. It is submitted that on his request the applicant was transferred from Moradabad Division to Lucknow Division on 26.10.95. In October, 2000 he was falsely implicated in a Vigilance case. Some departmental proceedings have been initiated against him after he was trapped by the staff of the Vigilance Department. The learned counsel has submitted that the in pursuance of the order of the General Manager dated 5.6.03, the applicant has been transferred from Lucknow to Moradabad Division by the Divisional Railway Manager vide order dated 7.7.03 (Annexure 1). He was relieved and has joined at the transferred place on 3.9.03. The applicant

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submitted a representation to the respondent No.1 but the same has not been decided.

2. At the bar the learned counsel for the applicant has stated that the copy of applicant's representation is Annexure A-5 and it was sent by registered post on 28.1.04 and the same has not been decided by the respondents. As such it is submitted that the respondents may be directed to decide this representation.
3. I am inclined to accede to this request as it will not cause any prejudice to the respondents in case the counter reply is not asked from the respondents at this stage.
4. Accordingly, the present O.A. is disposed of with the direction to the respondents to decide the representation of the applicant, copy of which is Annexure A-5 to the O.A. by a speaking order as per extant rules, within two months of the receipt of copy of the aforesaid representation and this order by the respondents. The applicant has undertaken to supply copy of the aforesaid representation and the copy of the order to the respondents within one week. Accordingly, the O.A. is disposed of with the above directions. No order as to costs.

*M.A. Khan*

(M.A. KHAN)  
T.C.