

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 352/2005

This the 9th day of September, 2005

HON'BLE SHRI SHANKER RAJU, MEMBER (J)

Awaneesh Kumar Awasthi aged about 32 years son of late Shri D.C. Awasthi r/o Vilalge and Pos Office Ramapurwa, District- Baharaich, U.P.

Applicant

By Advocate: None

Versus

1. Union of India through its General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Administrative Officer (Construction), Northern Railway, Head Quarters Office, Kashmiri Gate, Delhi.
3. The Dy. Chief Engineer (Construction), N.R., Moradabad.
4. The Dy. Chief Engineer (Construction), N.R. Lucknow.

...Respondents

By Advocate: Shri S. Verma

ORDER (ORAL)

By Hon'ble Shri Shanker Raju, Member (J)

It is trite law that without a representation, none one can approach this Tribunal. Applicant impugns his transfer order dated 8.7.2005 by which applicant was transferred from Moradabad to Jammu Tawi which has been justified by the respondents on the grounds that the transfer order has been passed in the administrative exigencies as some of the construction works of national importance are under way and in this project the staff kept on transfer.

In the light of the decision of the Apex Court in Union of India Vs. S.L. Abbas, 1994 SCC (L&S) 230, it is right of the contending parties to approach the respondents through a representation against the transfer order which has not been done in the present case. Accordingly we disposed of this O.A. with liberty to the applicant to make a representation to the respondents against his transfer and the same shall be decided by the respondents within a period of two months from the date of receipt of copy of this order. Thereafter, if the applicant still aggrieved, it shall be open for him to approach the appropriate forum in accordance with law. No costs.

S. Raju
(Shanker Raju)
Member (J)