

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 246/2009

This the 8th day of June , 2009

Hon'ble Mr. M. Kanthaiah, Member (J)

Hon'ble Dr. A.K. Mishra, Member(A)

M.A.P Khan, S/o Sri Maqsood Ali Khan, R/o L-8-A, Railway Colony, jail Road, Lucknow presently posted as AWEE/CB/Lucknow.

.....Applicant

By Advocate: Sri G.S. Verma

Versus

1. Union of India through Principal Secretary Railway, Civil Secretariat, New Delhi.
2. G.M.(P), N.R., Baroda House, New Delhi.
3. Chief Workshop Manager, N.R., Charbagh, Lucknow.
4. Chief Project Manager, Railway Electrification, Lucknow.
5. B.R. Sharma, WAEE/CB/LKO, Loco, Workshop, Charbagh, Lucknow.

.....Respondents

By Advocate: Sri N.K. Agarwal

ORDER

By M. Kanthaiah, Member-J

Heard both sides.

2. The applicant has filed this O.A. challenging the transfer order dated 15.5.2009 under which he was transferred to RE and posted as AEE/RE/LKO under CPM/RE/LKO (Annexure-1). The applicant has also challenged the order dated 26.5.2009 by which he was directed to look after all the OHE works exclusively of Varanasi yard temporarily till further orders (Annexure-2). After receipt of the said impugned orders, the applicant has made a representation dated 27.5.2009 (Annexure-11) to the respondent no.4 to consider his retention at Lucknow on the ground of his wife's illness and also other family problems. Upon which, the respondent-authorities have expressed their inability for his retention at Lucknow. At this

stage, it is the main contention of the applicant that because of his wife's illness who is suffering from cancer and ~~as such~~ he is not in a position to shift from Lucknow and, ~~thus, expressed his other family problems.~~

3. In view of the above circumstances, the O.A. is disposed of, at admission stage itself, with direction to the applicant to make a compressive representation to the respondent no.4 in respect of his request for retention at Lucknow, who shall consider and decide the same in accordance with law by passing a reasoned and speaking order within a period of two weeks from the date of receipt of such representation. Till such time, no coercive steps shall be taken by the respondents against the applicant. No costs.

08/06/09
(Dr. A.K. Mishra)
Member-A

08.06.2009
(M. Kanthaiah)
Member-J

Girish/-