

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, P A T N A

O.A.NO.: 474 OF 2005

[Patna, this Friday, the 29th Day of July, 2005].

C O R A M

HON'BLE SHRI JUSTICE P.K.SINHA, VICE-CHAIRMAN.

.....

Jolen Topno, son of Late Thepai Topno. Aged about 46 years, now posted as S.M.II at Muri under Station Manager, Muri, South Eastern Railway, District Ranchi.

By Advocate :- Shri S.Tamboli.

.....APPLICANT.

Vs.

1. Union of India through General Manager, South-Eastern Railway, Garden Reach, Kolkata.
2. Sr. Divisional Operating Manager, South Eastern Railway, Ranchi Division, Ranchi, P.O & P.S.: Hatia, District Ranchi.
3. Divisional Personnel Officer, South Eastern Railway, Ranchi Division Ranchi, P.O & P.S.: Hatia, District Ranchi.
4. Station Manager, South Eastern Railway, Muri, District : Ranchi.

.....RESPONDENTS.

By Advocate :- Shri A.A.Khan, SC.


ORDER [ORAL]

Justice P.K.Sinha, VC :- This is an application against the transfer of the applicant who was working as Station manager II at Muri, to Barkipona as Station manager-II as it appears from the transfer order at Annexure-1 of the application. The main ground is that he has been transferred prematurely and if he has been transferred ⁱⁿ ~~under~~ public interest, then as per general order the juniormost at the Station should have been transferred who was Shri D.Lakra, junior to the applicant vide seniority list at Annexure-3. Further, it has been submitted that against the transfer on this ground the applicant had filed a



representation addressed to Sr. Divisional Operating Manager at Ranchi but it is claimed that the representation is still pending.

2. It is a matter of transfer but the points raised by the applicant should also be considered by the higher authorities.
3. After hearing the learned counsel for the applicant and Shri A.A.Khan, the learned Standing Counsel for the respondents, this application is disposed of with direction to the respondent no.2 to consider and dispose of the representation at Annexure-2 said to be pending with him at the earliest, preferably within two months of the receipt of a copy of this order, by passing a speaking and reasoned order in accordance with law.
4. In the circumstances, the transfer of the applicant as per Annexure-1 shall remain stayed till the decision is taken by the respondent no.2 over the representation of the applicant as at Annexure-2. The applicant is directed to produce a copy of this order as well a copy of the OA with annexures, within ten days from the date of receipt of a copy of this order, *before Respondent no.2.*
5. This application stands, accordingly, disposed of. No costs.


[P.K.Sinha]/VC