

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 241/96

Transfer Application No.

Date of Decision 25.4.96

Shilpkar Trimbak Bansode Petitioner/s

Shri Dinesh Adsule Advocate for
the Petitioners

Versus

Sr. D.E.E., D.R.M. Office,
Central Railway, Bhusawal and others. Respondent/s

← Shri S.C. Dhawan Advocate for
the Respondents

CORAM :

Hon'ble Shri. B.S. Hegde, Member (J)

Hon'ble Shri.

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?

B.S. Hegde
(B.S. Hegde)
Member (J)

NS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO. 6
PRESCOT ROAD, BOMBAY : 1

Original Application No. 241/96

Thursday the 25th day of April 1996

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Shilpkar Trimbak Bansode

... Applicant.

By Advocate Shri Dinesh Adsule.

V/s.

Sr. D.E.E. (G)
D.R.M. Office
Central Railway,
Bhusawal.

D.R.M. (P)
D.R.M. Office,
Central Railway
Bhusawal.

The Senior E.F. (E/W)
Central Railway
Work shop, Manmad,
Dist. Nasik.

The General Manager.
Central Railway
Mumbai, V.T.
Mumbai.

... Respondents.

By Advocate Shri S.C. Dhawan.

O R D E R (ORAL)

{ Per Shri B.S. Hegde, Member (J) }

On the last occasion the respondents were directed to bring the impugned order of transfer and the decision taken by them on the basis of representation filed by the applicant on the next date of hearing.

Shri S.C. Dhawan, counsel for the respondents has shown me the transfer order passed on 10.11.95 which is in Hindi, and he states that the applicant has been relieved from Bombay office on 8.12.95. The applicant has filed representation on 28.1.96. The representation has been disposed of by the respondents on 16.2.96. The applicant has

been transferred from Manmad to Khandwa in Madhya Pradesh.

Applicant states that his son is suffering from Thalessimma Major which requires treatment after every 15 days. This treatment is only available in either K.E.M. Hospital or Tata Hospital. The applicant also states that he has been hospitalised from 6.11.95 to 23.12.95.

In the circumstances, I am of the view that the transfer order passed by the respondents is not just and proper and accordingly, the respondents are hereby directed to take the applicant on duty forthwith. The period of absence may be regularised by way of available leave at his credit and if no leave is available then leave not due may be sanctioned and there will not be any break in service.

Accordingly the O.A. is disposed of.
No order as to costs.

DASTI.


(B.S. Hegde)
Member (J)

NS