

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

Commercial Complex (BDA)  
Indiramggar  
Bangalore - 560 038

THURSDAY, THE 7TH OF AUGUST 1986

## PRESENT

THE HON'BLE MEMBER(JUDICIAL) : SHRI CH. RAMAKRISHNA RAO

THE HON'BLE MEMBER(ADMINISTRATIVE) : SHRI L.H.A. REGO

IN

APPLICATION NO 135/86(I)  
(W.P. NO 10439/84)

K.N.Venkatapathy,  
Head Train Examiner,  
Southern Railway,  
Bangalore Division, SBC,  
Bangalore City. : Applicant

## VERSUS

1. The Chief Personnel Officer,  
Headquarter Personnel Office,  
Personnel Branch, Southern  
Railway, Madras - 600 003
2. The Divisional Railway Manager,  
(Personnel), SBC, Bangalore City : Respondents

**O R D E R**

In the above application, this Tribunal has passed the following Order:-

\*The submission of Shri K. Sreedhar, counsel for the applicant is that the transfer of his client from Madras Division to Mysore Division effected in May, 1973 is inter-departmental/divisional transfer and as such he should have been allowed to retain his original seniority as a Train Examiner. Shri M. Sreerangaiah, counsel for the respondents submits that the applicant was transferred from Madras Division to Mysore Division in the place of Shri H.D'Souza on mutual transfer basis after the applicant gave his consent and in view of Rules 3 and 10 of Chapter III of Indian Railways Establishment Manual the seniority of the applicant was fixed based on the seniority of Shri H.D'Souza in Mysore Division.

We have perused the letter dated 8-1-1973/6-4-1973 addressed by H.D'Souza to DPO/MYS in which the consent of the applicant for the mutual transfer is recorded and signed by him. We are, therefore, satisfied that the grievance of the applicant

is more imaginary than real and he is not entitled to the reliefs prayed for by him.

In the result the application is dismissed".

Given under my hand and the seal of this Tribunal, this 12th day of August, 1986.



*[Signature]* 20/8  
REGISTRAR

*de (1)*

Copy to :-

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2. Shri M. Sreerangaiah,  
Standing Counsel for Railways,  
High Court Buildings,  
Bangalore - 560 001

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