

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 1081/92

Transfer Application No:

DATE OF DECISION 23.10.1992

SHRI LOMESHWAR R. CHANDEKAR

Petitioner

SHRI Y.R. ~~SEIX~~ SINGH

Advocate for the Petitioners

Versus

UNION OF INDIA and ors.

Respondent

Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri M.Y. PRIOLKAR, MEMBER (A)

The Hon'ble Shri

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

(M.Y. PRIOLKAR)  
M/B

NS/

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
BOMBAY

O.A. No.1081/92

Shri Lomeshwar R.Chandekar  
Nagpur.

...

Applicant

vs

Union of India,  
through the Divisional Manager,  
South-Eastern Railway, Nagpur....

Respondent

Coram: Hon'ble Mr. M.Y.Priolkar, Member (A)

Appearance:

Mr. Y.R.Singh for the  
applicant.

Tribunal's Order

Dated 23-10-92


(Per: Hon'ble Mr. M.Y.Priolkar,  
Member(A))

The applicant while working as a Train Examiner in Nagpur Division was transferred to Tumsar Road by order dated 21-5-1992. He represented against this transfer which was then cancelled and instead he was transferred to Control Office at Nagpur on 1-9-92. The applicant's grievance is that a further order dated 29-9-92 has now been issued and he has been posted to Khaparkheda whereas his junior one Mr. A.K.Bakshi has been retained at Nagpur in the Control Office. The applicant alleges that this order is issued with malafide intention only to safeguard the interest of Mr. Bakshi.

2. It is now well settled that this Tribunal will not normally interfere in transfer matters except on grounds of malafides or of violation of any statutory rules. No such violation of any statutory rules has been brought to my notice by the learned counsel for the applicant. It is, however, alleged that there is a practice which is being followed in the respondent Railway that the senior most Train Examiner, is posted to the Control Office at Nagpur while the juniors are posted at out-stations. But even if such practice is there,

these are only guidelines which can be treated as directory and not mandatory and cannot vest any legal right in the applicant. There is also no evidence to substantiate the vague allegations of favouritism.

3. I find no merit in this application. It is summarily rejected at the stage of admission itself, with no order as to costs.

  
(M.Y. Priolkar)  
Member(A)