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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 141/92
T.A. NO:

199

DATE OF DECISION 11-3-91

B. P. Garakh Petitioner

Mr. M. W. Jaisankar Advocate for the Petitioners

Versus

U. O. T. Dohari Respondent

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice V. C. Srivastava, Jc

The Hon'ble Mr. Mr. Pradip A. M.

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

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH
CIRCUIT BENCH : NAGPUR

Registration O.A.No.141 of 1992

B.P.Gorak

....

Applicant

Vs.

General Manager,
Central Railway, Bombay...

Respondents.

Coram:

Hon'ble Mr. Justice U.C. Srivastava, V.C.

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

Appearances:

Sri M.W. Harsulkar for the applicant &

Sri.

Oral Judgment:

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

Dated 11.3.92

The applicant has filed this application against the transfer order dated 9.6.87 issued by the Divisional Railway Manager, Central Railway, Bombay. We dismissed this application so far as the disciplinary proceedings are concerned with the observation that the applicant was given the reasonable opportunity but he could not participate in the inquiry. So far as the transfer order is concerned it was pointed out that transferred order/^{was} passed in the exigency of the situation. However, if the applicant filed a representation within 15 days, his representation shall be considered by the Appellate Authority. After considering the representation the authority ^{has} will ^{ed} maintain his posting at Khandwa. The applicant has levelled certain allegations on malafide but the allegations as they are does not take the case of malafide.

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2. The grievance of the applicant is that he belongs to Marathi and Khandwa and the Hindi speaking area and it will be difficult for him to follow the Hindi language. It is not the ground that merely because his childrens are getting education at Akola and this ground can be set up by each and every person. It is for the departmental authority to transfer the applicant or to retain him at Akola or to transfer him into any Marathi area. But no interference could be made by the Tribunal. With the above observation the application is rejected. No order as to costs.


Member(A)


Vice-Chairman.

11th March, 1992, Nagpur

(sph)