

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 120 /1997

Date of Decision: 3/4/97

Arun Bhalachandra Nagarkar

Petitioner/s

Shri D.V.Gangal

Advocate for the
Petitioner/s

V/s.

Union of India & 3 Ors.

Respondent/s

Shri V. S. Masurkar

Advocate for the
Respondent/s

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 ?

abp.


(B.S. Hegde)
Member (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG. NO. 6, FRESCOT RD. 4TH FLR.

MUMBAI - 400 001.

ORIGINAL APPLICATION NO. 120/97, MP-211/97 & CP-06/97.

DATED THIS 3RD DAY OF APRIL, 1997.

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

Arun Bhalachandra Nagarkar,
Fitter 'A', under Carriage Foreman,
Loni, Kalbhor,
R/at Railway Quarter, B-Block,
Room No.3, Loni Kalbhor,
Tal. Haveli, Dist. Pune.

... Applicant.

By Advocate Shri D.V. Gangal

v/s.

1. Union Government of India, through
The General Manager,
Central Railway,
Mumbai - 400 001.

2. The Divisional Railway Manager,
Central Railway, Solapur,
Division, Solapur.

3. The Divisional Mechanical Engineer,
Central Railway Solapur,
Division, Solapur.

4. The Divisional Personnel Officer,
Solapur Division,
Central Railway, Solapur.

... Respondents.

By Advocate Shri V.S. Masurkar.

I O R D E R

I Per Shri B. S. Hegde, Member (J) I

Heard Shri D.V. Gangal for applicant and
Shri V.S. Masurkar for respondents.

Parties are heard at length. After the issue of transfer order dated 25/4/96, applicant has been making repeated representations to competent authority to cancel his transfer order ~~due to his wife's~~ as well as Mother's sickness, he could not go on transfer, despite repeated request, there was no response from the respondents. Therefore, he was handicapped in joining the post at Wadi and he has produced medical certificates from Railway Doctor. Though combined transfer order was issued in favour of ~~four~~ persons of different category of job, out of which one persons transfer

has been cancelled and the other was released only on 2/3/97 remaining two also joined belatedly.

Therefore in the facts and circumstances of the case,, I hereby direct the applicant to make a suitable representation mentioning the place of posting to the competent authority within a period of three days with documentary evidence of illness, etc., and on receipt of the same, the competent authority may pass a speaking order after considering his request for transfer to an alternate place within a period of two weeks from the date of receipt of representation.

In the light of the above, the OA, and MP-211/97 are disposed of consequent thereon CP also stands disposed of. No orders as to costs.

abp.


(B. S. Hegde)
Member (J)