

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 22/98

Date of Decision: 23.2.98

Shri Krishna Kumar B. Mamath Applicant.

Shri R.D. Deharia Advocate for
Applicant.

Versus

Union of India and others Respondent(s)

Shri V. S. Masurkar Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman

Hon'ble Shri. P.P. Srivastava, Member (A)

(1) To be referred to the Reporter or not? *W*

(2) Whether it needs to be circulated to
other Benches of the Tribunal? *W*

R.G. Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman.

NS

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

Original Application No. 22/98

Monday the 23rd February 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri P.P. Srivastava, Member (A)

Krishna Kumar B.
Residing at
C/o Shri Ramcharan Sunder
Pandit Estate,
JoshiBaug.
Kalyan Dist. Thane (M.S.)

... Applicant.

By Advocate Shri R.D. Deharia.

V/s.

Union of India through
The General Manager,
Central Railway,
Mumbai,
Mumbai C.S.T.

The Divisional Railway
Manager Divisional Office,
Central Railway.
Mumbai C.S.I.

Assistant Electrical
Engineer, Thakurli
Power House,
Central Railway.
Thakurli.

... Respondents.

By Advocate Shri V.S. Masurkar.

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

Original Application No. 22/98.

Tribunal's order

Dated: 23.2.98

Shri R.D.Deharia, counsel for the applicant. Shri V.S.Masurkar, counsel for the respondents.

2. Heard counsel for both sides.

The applicant is challenging the order of transfer dated 9.12.97. The contention of the applicant is that he had come to Kalyan recently and he is suffering from illness. In spite of the same the applicant has been transferred to Panvel. The applicant has made some allegation of malafides against the local officer.

3. The respondents have filed reply denying the allegation made by the applicant and they have stated that in the interest of administration the applicant is transferred to Panvel.


As far as the allegation of malafides are concerned, they are denied. There are no statutory Rules brought to our notice which has been violated by the respondents. The transfer order from Kalyan to Panvel is not far away. Therefore we do not find any difficulty for the applicant to join in the new post. After hearing both the sides we do not find any illegality and infirmity in the order of transfer order. For the above reasons the O.A. is rejected at the admission stage itself.

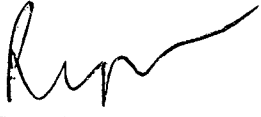
The applicant has also filed C.P. 5/98 alleging the violation of interim relief.

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Issue notice to the respondents on
C.P. 5/98 returnable by 23.3.98.


(P.P. Srivastava)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman.

NS

(J) (N)