

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD

TRANSFERRED/ORIGINAL APPLICATION NO.901 of 1989

DATE OF ORDER: 27th November, 1989

BETWEEN:

Dr. M.Lakshmaiah

APPLICANT(S)

and

The General Manager, S.C.Railway,
Secunderabad and others

RESPONDENT(S)

FOR APPLICANT(S): Mr. G.Vedantha Rao, Advocate

FOR RESPONDENT(S): Mr. N.R.Devaraj, SC for Railways

CORAM: Hon'ble Shri D.Surya Rao, Member (Judl.)
Hon'ble Shri D.K.Chakravorty, Member (Admn.)

1. Whether Reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment?
4. Whether it needs to be circulated to other Bench^{es} of the Tribunal?
5. Remarks of Vice-Chairman on columns 1,2,4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench)

NO

HDSR
M(J)

HDKC
M(A)

ORIGINAL APPLICATION NO.901 of 1989

JUDGMENT OF THE BENCH DELIVERED BY HON'BLE SHRI D.SURYA RAO,
MEMBER (JUDL.)

The applicant herein, a Doctor in the South Central Railway working in Guntur, seeks to question the orders of the 1st respondent No.P/Gaz/675/MD/SS/V dated 30.10.1989 whereby he ~~sought to be~~^{was} transferred from Guntur and posted to Rayanapadu. In lieu of the applicant one Dr.Syed Rasool has been transferred to Guntur. The applicant contends that hardly one year and four months ^{has elapsed} since he had joined Guntur ^{and} ~~that the~~^{present} transfer is now sought to be made not on the administrative grounds but only to accommodate the 4th respondent. It is further contended that the applicant has three children studying in college and school at Guntur, that there are no ^{colleges or} English medium schools at Rayanapadu ^{where} ~~at which~~ he has been transferred and the transfer in the middle of the academic year would cause undue hardship ~~and destruction~~ to the applicant. It is for these reasons the applicant questions the transfer order.

2. We had given notice to the respondents and fixed early date for hearing. The applicant is not present today nor is he represented by his counsel. On behalf of the respondents, it is contended by the learned Standing counsel that the applicant had not exhausted the remedy of representation available to him before approaching the Tribunal. In the circumstances, the applicant is directed to make a representation to the General Manager bringing out the circumstances and the difficulties averred by him including the fact that his transfer is sought


[Handwritten signature]


.. 2 ..

to be made within one year and four months from ^{the date of} his posting at Guntur, and that there are no educational facilities available to his children at Rayanapadu. The applicant is directed to make the representation within a period of ten days from the date of receipt of this order. Till the disposal of his representation, it is ordered that the transfer order shall not be given effect to.

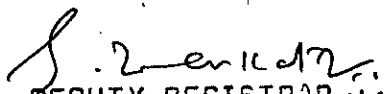
3. With these directions, the application is disposed of. There will be no order as to costs.

(Dictated in the open court)


(D. SURYA RAO)
Member (Judl.)


(D.K. CHAKRAVORTY)
Member (Admn.)

Dated: 27th November, 1989.


DEPUTY REGISTRAR

TO:

1. The General Manager, south central railway, Secunderabad.
2. The Chief Medical officer, south central railway, Sec'bad.
3. The Chief personnel officer, south central railway, Sec'bad.
4. Dr. Sayed Rasool, Senior Divisional Medical officer, Railway Health Unit, Gudur, Nellore Dist.
5. One copy to Mr. G. Vedantha Rao, Advocate, 4-3-410, Bank Street, vsn Hyderabad-500 001.
6. One copy to Hon'ble Mr. D.K. Chakravorty: Member: (A), CAT, Hyd.
7. One spare copy.
8. One copy to Mr. N.R. Devaraj, SC for Rlys, CAT, Hyderabad.

...



TIME LIMIT CASE
5/12

Draft by: Checked by: Approved by:
D.R.(J)

Typed by: Compared by:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.

HON'BLE MR.B.N.JAYASIMHA: (V.C.) ✓
AND
HON'BLE MR.D.SURYA RAO: MEMBER (JUDL) ✓
AND
HON'BLE MR.D.K.CHAKRAVORTY: MEMBER: (A)
AND
HON'BLE MR.J.NARASIMHA MURTHY: MEMBER (J)

DATED: *27-11-89* ✓

~~ORDER~~/JUDGMENT

M.A./R.A./C.A./No. in
T.A.No. (W.P.No.)

O.A.No. *901/89*

Admitted and Interim directions
issued.

Allowed.

~~Dismissed.~~ ✓

Disposed of with direction.

~~M.A.~~ Ordered.

No order as to costs.

Sent to Xerox on:

Central Administrative Tribunal
DESPATCH
5 - 6 DEC 1989
HYDERABAD BENCH.

5/12/89