

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

DA.900/92.

date of decision : 15-10-92

Between

K. Jalaiah

: Applicant

and

The Govt. of India, rep. by
The Secretary
Ministry of Railways
New Delhi

2. The Chairman
Railway Board
Rail Bhavan
New Delhi

3. The General Manager
South Central Railway
Secunderabad

4. The Chief Personnel Officer
South Central Railway
Secunderabad

5. Dr. M.L. Imtiaz
Divisional Medical Officer
Sub-divisional Railway Hospital
Puna

: Respondents

Counsel for the applicant : G. Bikshapathy, Advocate

Counsel for the respondents : N.R. Devaraj, Standing counsel
for Railways

CORAM :

HON. MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

HON. MR. T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

JUDGEMENT

(As per Hon. Mr. T. Chandrasekhara Reddy, Member (Judl.)

This is an application filed under Section 19 of the
Administrative Tribunals Act to declare the proceedings of
the fourth respondent vide office order dated 24-8-92 so far

T. C. R.

1st
9/10/92

To

1. The Secretary,
Govt. of India, Ministry of Railways,
New Delhi.
2. The Chairman, Railway Board,
Rail Bhavan, New Delhi.
3. The General Manager, S.C.Rly, Secunderabad.
4. The Chief Personnel Officer,
S.C.Rly, Secunderabad.
5. One copy to Mr.G.Bikshapathy, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, SC for Rlys.CAT.Hyd.
7. One spare copy.

pvm.

3.2.92

P.C. Sec
Received
on 20/10/92
at 2.30 PM

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as it relates to transfer of the applicant from Sub Divisional Railway Hospital, Purna to Health Unit, Donakonda, as illegal, arbitrary and malafide.

2. This OA was taken up for admission hearing after the lunch hour today. Mr. G. Bikshapathy, counsel for the applicant and Mr. N.R. Devaraj, Standing counsel for the respondents are present and heard.

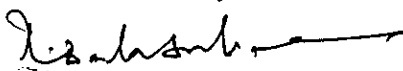
3. A similar OA.779/92 has been filed for the same relief claimed as in this OA by the applicant herein. We have disposed of the said OA at the admission stage on 9-9-1992 by passing appropriate order.

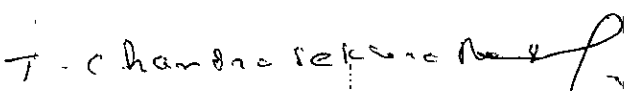
4. It is grievance of the applicant as putforth by the counsel that inspite of the order of the Tribunal keeping in abeyance the transfer order dated 24-8-1992, the third respondent is pressurising the applicant herein to handover charge at Purna and to take charge at the transfer station Donakonda. If the allegation is true, then the same would amount to contempt of Court.

5. In our earlier order in OA.779/92 we have made it clear that the transfer order dated 24-8-92 shall be kept in abeyance till the Chairman, Railway Board, disposes of the appeal/representation of the applicant. So, if the third respondent or any of the respondents flout(s) the order of this Tribunal, the remedy of the Applicant lies by moving this Tribunal for necessary action under contempt of Courts Act.

6. So far as this OA is concerned, there is no relief to be granted and hence we have no hesitation in rejecting the OA. This OA is accordingly rejected with no order as to costs.

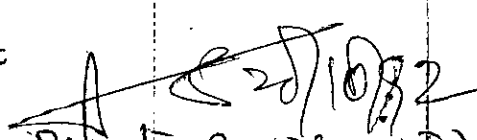
CC tomorrow.


(R. BALASUBRAMANIAN)
Member (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated : 15 Oct, 92
Dictated in the Open Court

sk


Deputy Registrar (D)