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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.877/93

date of decision : 10-9-1993

Between

Y. Sathi Reddy : Applicant

and

1. The Asstt. Personnel Officer(BG)
South Central Railway
Secunderabad

2. The Divnl. Rly. Manager(BG)
South Central Railway
Secunderabad : Respondents

Counsel for the applicant : M. Rama Rao, Advocate

Counsel for the respondents : K. Ramulu, SC for Railways

CORAM :

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. P.T. Thiruvengadam, Member (Admn.)

Heard Sri M. Rama Rao, learned counsel for the applicant and Sri K. Ramulu, learned counsel for the respondents.

2. The applicant joined as Khalasi in the year 1980 and was posted to IOW, Nalgonda., ferred in 1987 to C&W Department in Secunderabad on administrative grounds. In the year 1991 the applicant applied for mutual transfer with Sri P. Pochaiyah, who was working as Khalasi with IOW, Nalgonda. The request of mutual transfer was accepted and the applicant was transferred by order dated 27-11-1991. Accordingly, the

2/2

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applicant reported for duty at Nalgonda on 30-11-1991.

At that stage it was noticed by the Administration that Sri P.Pochaiah was not fit medically for being posted to the C&W Department. Accordingly proceedings dt.11-2-1992 were issued by AEN(EAST)/SC converting transfer of the applicant to one of request transfer and placing the applicant at bottom seniority in the senior unit of IOW, Nalgonda. This was ratified by the Divisional Personnel Officer/BG/SC by Memo dt. 9-3-1992. But suddenly, by impugned order dt. 27-4-1993, the applicant has been retransferred to C&W Department as Khalasi. The same is challenged in this O.A.

3. By the order dt. 9.3.1992 issued by the competent authority the applicant was placed at the bottom of the seniority list with IOW, Nalgonda. There is no illegality or irregularity in this order and the same cannot be unilaterally superceded by further order issued on 27.4.1993 after a gap of more than a year. Hence, the order dt. 27.4.1993 is liable to be setaside.

4. In the result, the impugned order dt. 27.4.1993 is set aside. The O.A. is ordered accordingly. No costs.

P. J. Thiruengadam
(P.T.Thiruvengadam)
Member(Admn.)

V. Neeladri Rao
(V.Neeladri Rao)
Vice-Chairman

Dated: 10th Sep., 1993.
Dictated in the open court.

S. S. S. S. S.
Deputy Registrar

To

1. The Assistant Personnel Officer(BG)
grh. S.C.Rly, Secunderabad.
2. The Divisional Railway Manager (BG) S.C.Rly, Secunderabad.
One copy to Mr.M.Rama Rao, Advocate, 3-4-835/2, Barkatpura, Hyd.
3. One copy to Mr.K.Ramulu, SC for Rlys. CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.P.T.TIRUVENGADAM:M(A)

Dated: 10 - 9 - 1993

ORDER/JUDGMENT:

M.A./R.A./C.A.No.

in

O.A.No. 877/93

T.A.No. (W.P.)

Admitted and Interim directions
issued

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm

