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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

R.A. 64/94
in
O.A. 1405/93.

Dt.of Decision : 25-8-94.

1. Railway Board rep. by
its Secretary,
Rail Bhavan, New Delhi.
2. The General Manager,
SC Rly, Rail Nilayam,
Secunderabad.
3. Divisional Railway Manager,
SC Rly, Guntakal.
4. Sr. Divisional Personnel Officer,
SC Rly, Guntakal.

..Applicants/
Respondents.

Vs

K. Adam

..Respondent/
Applicant.

Counsel for the Applicants/
Respondents : Mr. V. Bhimanna, Addl. CGSC.

Counsel for the Respondent/
Applicant. : Mr. P. Krishna Reddy.

CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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R.A.No. 64 of 1994 in
O.A.No.1405/93.

Date: 25.8.1994.

O R D E R

I as per Hon'ble Sri R.Rangarajan, Member(Administrative) I

Heard Sri V.Bhimanna, learned Standing Counsel for Review Applicants and Sri P.Krishna Reddy, learned Counsel for the respondent in the R.A.

2. This Review Application is filed by the original respondents for reviewing the direction given in O.A.No.1405 of 1993 in regard to the regularisation of the quarter with certain directions for recovering rentals from the original applicant at Guntakal Division of South Central Railway.

3. The main contention of the applicants in this R.A. is that the respondent herein (applicant in O.A.No.1405/93) was transferred to Hubli Division on promotion and he was retransferred back to Guntakal after 13 months. His transfer to Hubli is a normal transfer on promotion and that the applicant in O.A.No.1405/93 was not in any peculiar or special situation requiring different treatment from the normal rules and procedure in regard to retention of his quarter at Guntakal.

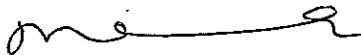
4. It is stated for the applicant in the O.A. (Respondent herein) ^{that he} was sent to Hubli Division on administrative exigencies as Skilled Artisan and that such transferees were being retransferred back to Guntakal on expiry of eight months. This fact has not been rebutted by the applicants herein either in their reply affidavit in the OA or in the Review Application. Retransfer of the staff sent to Hubli Diesel Shed on promotion on the expiry of 8 months on rotational transfer is being done on administrative exigencies.


...3/-

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If so, the applicant in the OA cannot be put at a disadvantage for retention of his quarter at Guntakal when such concessions were given to others. In the O.A., the applicant therein has quoted some cases where such penal rent was not levied. This was also not refuted by the respondents in the OA either in their reply affidavit or in the review application. Hence, we see no error apparent in the directions given in regard to the collection of rent from the applicant in the O.A.

5. In view of what is stated above, we see no merit in this review application and hence liable only to be dismissed. Accordingly, we do so. No costs.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

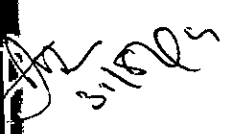
Dated 25th August, 1994.


31/8/94
Deputy Registrar (J) CC

To

1. The Secretary, Railway Board, Railbhavan, New Delhi.
2. The General Manager, S.C.Rly, Railnilayam, Secunderabad.
3. The Divisional Railway Manager, S.C.Rly, Guntakal.
4. The Sr. Divisional Personnel Officer, S.C.Rly, Guntakal.
5. One copy to Mr. V. Bhimanna, SC for Rlys, CAT. Hyd.
6. One copy to Mr. P. Krishna Reddy, Advocate, CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

pvm


31/8/94

TYPED BY CHECKED BY
COMPALED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE MR. R. RANGARAJAN : M (ADMIN)

DATE: 25-8 - 1994

ORDER/JUDGMENT

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

O.A.No.

(T.A.No.

(W.P.No

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

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