

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1236/95

Date of Order: 19-10-95.

Between:

**P. Ramu.**

... Applicant

and

1. Union of India, rep. by General Manager, S.E.Rly, Calcutta-43.
2. Senior Divisional Engineer(TRD) S.E.Rly, Visakhapatnam.
3. Divisional Railway Manager,(P) S.E.Rly, Visakhapatnam.
4. V.Sreerama Murthy, LM Gr.I TFO/OHE/at Keraput.

(R-4 is impleaded as per court order dt. on 19-10-95.)

Respondents.

For the Applicant :- **Mr. Y. Subrahmanyam, Advocate.**

For the Respondents: **Mr. V. Bhimanna,**  
~~xxr.~~ / Add. CGSC

CORAM:

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

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

O.A.NO.1236/95.

JUDGMENT

Dt: 19.10.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri Y.Subrahmanyam, learned counsel for the applicant and Shri N.Bhimanna, learned standing counsel for the respondents.

2. The applicant who was promoted as Lineman in 1993 was transferred from Visakhapatnam to Koraput consequent upon the transfer of R-4 from Koraput to Visakhapatnam which was at the latter's request as per the proceeding dated 6.10.1995.

3. It is the case of the applicant that there are no general transfers in the cadre of Group-C (Lineman is in Group-C). In such a case, if any employee in Group-C requests for transfer due to genuine reasons and if the authority feels that there are justifiable grounds for the transfer, then it cannot be stated that the request transfer was ordered with oblique motive.

4. But it is pleaded for the applicant that his wife is sick and she is undergoing treatment in S.R. Hospital, Visakhapatnam and his son is studying Intermediate and the transfer during the academic year will cause a much hardship to him.

5. We feel that in view of the above pleas of the applicant, it is just and proper to pass ~~the~~

X

contd....

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.. 3 ..

the following order:-

The applicant is free to make a representation to R-3 praying for his retention at Visakhapatnam and if such a representation is going to be made, the same has to be disposed of expeditiously and preferably within a fortnight from the date of receipt of such a representation. If in the meanwhile the applicant is going to be relieved on R-4 reporting for duty, the applicant if so advised, is free to apply for leave and the same has to be considered in accordance with rules.

6. The OA is ordered accordingly at the admission stage. No costs. //

*Handwritten signature*  
(A. B. GORTHI)  
MEMBER (ADMN.)

*Handwritten signature*  
(V. NEELADRI RAO)  
VICE CHAIRMAN

DATED: 19th October, 1995.  
Open court dictation.

*Handwritten signature*  
Deputy Registrar (J) CC

vsn

To

1. The General Manager, S.E.Rly Calcutta-43.
2. The Senior Divisional Engineer (TRD)  
S.E.Rly, Visakhapatnam.
3. The Divisional Railway Manager, (P)  
S.E.Rly, Visakhapatnam.
4. V. Sreerama Murthy, LM Gr.I TFO/OHE  
at Koraput.
5. One copy to Mr. Y. Subrahmanyam, Advocate, CAT.Hyd.
6. One copy to Mr. V. Bhimanna, SC for Rlys, CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

C. C. Today

20/10/95

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND  
A.R.Gorchi  
THE HON'BLE MR.R.RANGARAJAN :M(A)

DATED: 19-10-1995

ORDER/JUDGMENT

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

in

O.A.No. 1236/95.

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.

No Spare Copy

bvm.

