

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

O.A.NO.1607 of 1995.

Between Dated: 28.12.1995.

M.Sahadeva Reddy ... Applicant

And

1. Divisional Railway Manager, South Central Railway, Hubli.
2. Divisional Railway Manager, South Central Railway, Guntakal.
3. Station Superintendent, South Central Railway, Cuddapah.

... Respondents

Counsel for the Applicant : Sri. Neushad Ali

Counsel for the Respondents : Sri. N.R.Devaraj, SC for Rlys.

CORAM:

Hon'ble Mr. Justice V.Neeladri Rao, Vice Chairman

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:...2

(16)

O.A.NO.1607/95.

JUDGMENT

Dt:28.12.95

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

Heard Shri Noushad Ali, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant was transferred ~~at~~ at his request from Hubli Division to Guntakal Division and posted as Ticket Collector at Cuddapah and he joined there on 15.11.95. This OA was filed praying for direction to the respondents not to disturb the applicant from Cuddapah Railway Station <sup>in</sup> to Guntakal Division.

3. It is true that condition No.8 of the proceedings No.G/P.676/II/TC/TTE/Vol.IV dated 20.1.95 empowers <sup>Concerned Authority</sup> the ~~absorber~~ to transfer back the employee to his parent division, when <sup>as</sup> the transfer was ordered as per <sup>applicant's</sup> ~~his~~ request. But Shri NR Devaraj, learned standing counsel for the respondents submitted that he was instructed to state that there was no move to transfer the applicant back to Hubli division. It is not known as to what prompted the applicant to file this OA, <sup>He can file A has to be</sup> but we have to dismiss it as premature.

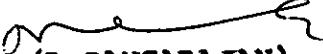
4. But at the same time, to protect the interest of the applicant, it is just and proper to order that in case the concerned authority decides to transfer the applicant back to Hubli division, then the applicant has to be given 10 days time before relieving him from the

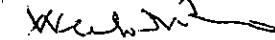
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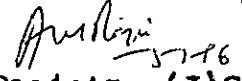
date of service of the order of retransfer ~~xxxxxxxxxx~~ so as to enable the applicant to move this Tribunal if advised, under Section 19 of the Administrative Tribunals Act against such an order of retransfer.

5. Subject to the above, this OA is dismissed as premature even at the admission stage. No costs.//

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

  
(V. NEELADRI RAO)  
VICE CHAIRMAN

DATED: 28th December, 1995.  
Open court dictation.

  
Deputy Registrar(J)CC

vsn

To

1. The Divisional Railway Manager,  
S.C.Rly, Hubli.
2. The Divisional Railway Manager,  
S.C.Rly, Guntakal.
3. The Station Superintendent,  
S.C.Rly, Cuddapah.
4. One copy to Mr. Noushad Ali, Advocate, 19/3RT, Sardabah colony, Hyd.
5. One copy to Mr. N.R. Devraj, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

pvm

C.O. Sec  
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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.R.RANGARAJAN : M(A)

Dated: 25-12-1996

ORDER/JUDGMENT

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

in

O.A.No. 1607/95

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

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

प्रेषण/DESPATCH

-9 JAN 1996

हैदराबाद न्यायालय  
HYDERABAD BENCH