

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BNCH:
AT HYDERABAD.

O.A.NO.379/95.

Date of Judgment: 22.3.1995

BETWEEN:

M.Gnaneswara Rao

APPLICANT

AND

1. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam, Secunderabad-371..
2. The Chief Workshop Engineer,
S.C.Railway,
Secunderabad-371.
3. The Chemist and Metallurgist,
S.C.Railway,
Lella Guda Workshop,
Secunderabad-17.
4. The Chief Workshop Manager,
S.C.Railway,
Hubli, Karnataka State.
5. The Deputy Chief Mechanical
Engineer,
Carriage Repair Workshop,
S.C.Railway,
Tirupathy.
6. Shri A.Jagannathan,
Spectro Superintendent,
o/o Chief Workshop Manager,
S.C.Rly, Hubli.

RESPONDENTS

COUNSEL FOR THE APPLICANT: SHRI T.P.ACHARYA

COUNSEL FOR THE RESPONDENTS: SHRI N.R.DEVARAJ

CORAM: HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHA

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

contd...

(18)

O.A.NO.379/95.

JUDGMENT

Dt: 22.3.95

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

Heard Shri T.P.Acharya, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. R-6 is now working as Spectro Superintendent in the Railway Workshop at Hubli. By the impugned order dated 15.3.1995, R-6 along with the post was transferred to the Carriage Repair Shop (CRS), Tirupathi. The applicant is now working as Spectro Superintendent in the Wagon Repair Shop at Guntupalli which is near Vijayawada.

3. It is stated for the applicant that as ~~he is~~ ^{he} requests from 1985 for his transfer to Tirupathi and all along he was informed that there was no post of Spectro Superintendent in CRS, Tirupathi, his request could not be acceded to and it would be considered as and when a post is created there and when the post from Hubli to Tirupathi was transferred, instead of transferring the applicant to Tirupathi, R-6 is transferred to Tirupathi. The further submission for the applicant is that even R-6 had not made any request for transfer to Tirupathi.

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4. But it may be noted that when the post of Spectro Superintendent was transferred from the Workshop at Hubli to CRS, Tirupathi, R-6 cannot be continued at Hubli. So, he has to be accommodated in some other place. If the request of the applicant for his transfer to Tirupathi is accepted, then R-6 has to be transferred to Guntupalli. But Guntupalli is far away than Tirupathi. When it had become necessary to transfer R-6 from Hubli in view of the circumstances, it is not just and proper to transfer R-6 to a station. Hence, the OA fails and accordingly it is dismissed

one
(R. RANGARAJAN)
MEMBER (ADMN.)

Neeladri
(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 22nd March, 1995.
Open court dictation.

Arora
Deputy Registrar (J)CC

1. The Chief Personnel Officer, S.C.Rly, vsn Railnilayam, Secunderabad-371.
2. The Chief Workshop Engineer, S.C.Rly. Secunderabad-371.
3. The Chemist and Metallurgist, S.C.Rly, Lallaguda Workshop, Secunderabad-17.
4. The Chief Works Manager.
5. The Deputy Chief Mechanical Engineer, Carriage Repair Workshop S.C.Rly, Tirupathi.
6. One copy to Mr. T.P. Acharya, Advocate, 1-2-306/1 Gaganmahal Road, Domalguda, Hyd.
7. One copy to Mr. N.R. Devraj, SC for Rlys, CAT. Hyd.
8. One copy to Library, CAT. Hyd.
9. 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.R.RANGARAJAN: M(ADMN).

DATED - 22 - 3 1995.

ORDER/JUDGMENT:

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

O.A.No. 329/95
in

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

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed. at the admission

stage

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

NO SPARE COPY

