

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION No. 1184 of 1996.

DATE OF DECISION : 07-10-96.

1. A.Suryanarayana
2. S.K.Basha
3. P.Venkateswara Rao
4. K.V.Subbaiah
5. Shaik Mahaboob

.. Applicants.

Vs.

1. The Union of India, Rep.
by its General Manager,
SC Railway, Rail Bxx Nilayam,
Secunderabad.
2. The Divisional Railway Manager,
SC Rly, Vijayawada.
3. The Sr.Divl.Personnel Officer,
SC Rly, Vijayawada.

.. Respondents.

Counsel for the Applicant : Mr. K.K.Chakravarthy

Counsel for the Respondents : Mr. V.Bhimanna, SC for Rlys.

CORAM:-

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

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr. K.K.Chakravarthy, learned counsel for the applicants and Mr.V.Bhimanna, learned counsel for the respondents.

2. There are 5 applicants in this OA who were working as Shunters in Vijayawada Division of SC Railway. They were promoted on adhoc basis as Goods Drivers in the grade of Rs.1350-2200/-² and posted to Rajamundry by the impugned order No. N.Mech./RG/29/96 of B/P/535/III/Rg/G.Dr. dated 30-09-1996 (Annexure-I).

3. This OA is filed challenging the transfer order so far it concerned to the applicants in this OA.

4. The applicants submit that there are 20 posts vacant at Vijayawada and all of them could have been accomodated in Vijayawada itself as Drivers even on adhoc basis instead of transferring them to Rajamundry. They also submit that they are senior to those who are undergoing training and who are likely to be posted against the vacant post at Vijayawada. But the transfer is the matter to be decided by the competent authority. Unless there is a malafide or violation of statutory rules, the Tribunal will not interfere in transfer matters. I find that there is no malafide attributed to interfere in this connection nor any violation of such rule has been brought out in this OA. Hence, it is for the competent authority to decide the issue in accordance with law if a properly worded representations are submitted by the applicants to the concerned.

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5. In view of what is stated above the following direction is given:-

The applicants in this OA may submit representations for posting them even on adhoc basis at Vijayawada as Drivers to R-2 within 15 days from today. If such representations are received by R-2 within the stipulated time referred to above those representations should be disposed of in accordance with law within two months from the date of receipt of those representations. In the meantime if the applicants apply for leave, the same may be granted in accordance with the rules till the disposal of the representations.

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



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 07th October 1996.
(Dictated in the Open Court)

SPR

Avulagi
2-10-96
D.R (J)

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O.A.NO.

Copy to:

The General Manager,
South Central Railway,
Railnilayam,
Secunderabad.

2. The Divisional Railway Manager,
South Central Railway,
Vijayawada.
3. The Senior Divisional Personnel Officer,
South Central Railway,
Vijayawada.
4. One copy to Mr.K.K.Chakravarthy, Advocate,
CAT,Hyderabad.
5. One copy to Mr.V.Bhāmanna, Addl.CGSC,CAT,Hyderabad.
6. One copy to Library,CAT,Hyderabad.
7. One duplicate copy.

YKKR

① 19/10/86 Furnish to day
C.C. Today
7/10/86

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 7.10.86

ORDER/JUDGEMENT
R.A/C.P./M.A. NO.

in
O.A. NO. 1184/86

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

केन्द्रीय प्र.
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