

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1001/96.

Dt. of Decision : 21-08-96.

J. Ratna Margadarshi

.. Applicant.

Vs

1. The Sr.Divl.Engineer,
Co-ordination, SC Rly,
Guntakal Division,
Guntakal.

2. The Sr.Divl. Personnel Officer,
Guntakal Division, SC Rly,
Guntakal.

... Respondents.

Counsel for the Applicant : Mr. Ch. Anji Reddy

Counsel for the Respondents : Mr. C.V.Malla Reddy, SC for Rlys.

CORAM:

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

ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan Member (Admn.))

Heard Mr. J.Seshagiri Rao for Mr.Ch.Anji Reddy, learned counsel for the applicant and Mr. C.V.Malla Reddy, learned counsel for the respondents.

2. The applicant was transferred from Southern Railway in April 1994 to SC Railway and was posted at Kadiri as Permanent Way Inspector Grade-II and he took over the charge on 13-4-94. By the impugned proceedings No.G/P535/4/PWI's/Vol.28 dated 16-4-96 (Annexure-II), he was transferred from Kadiri to Gooty in the same grade. He was replaced by one Mr.K.Subba Rao PWI/Gr-I by the same impugned order. This transfer order so far it concerns the applicant is assailed in this OA.

3. The applicant now submits that his replacement viz., Mr. K.Subba Rao requested the concerned authorities to retain him at Srikalahasti for some more time before carrying out his transfer to Kadiri. That was agreed to by the order No.W.No./9/PWI's/Vol.XX dated 6/7-5-96 (Annexure-III). However in the meantime the said Mr.K.Subba Rao was transferred to Bitragunta thereby his posting to Kadiri is cancelled. It is further stated that nobody has been posted at Kadiri vice the applicant, but a temporary arrangement has been made whereby one Mr.A. Narasimha Moorthy was asked to be incharge of the section held by the applicant till further advice by DRM/W/Guntakal in terms of office order No. G/W.535/PWIs/W-IV dated 13-08-96 (Annexure-I).

4. The applicant further states had been relieved immediately after issue of the impugned order dated 16-4-96, he would have carried out the transfer and put his children in

the new place at Goety. As he was not relieved and no arrangement had been made to relieve him also he had admitted his children in the school at Kadiri and in the middle scholastic session he cannot take them out from Kadiri and put them in school at Goety. He has submitted a representation requesting for retention at Kadiri till the end of the present year school session by his representation dated 16-8-96 to R-2(Annexure-IV). It is stated that the authorities concerned refused even to receive the representation. Hence, he approached this Tribunal assailing the transfer order as stated above.

5. From the narration of the above, it is evident that the applicant has a case for consideration. His post of PWI at Kadiri does not seem to have been filled in view of the memorandum dated 13-08-96 wherein only an incharge arrangement has been made. Hence, his representation dated 16-8-96 should be received and considered by R-2 sympathetically so as to alleviate hardship of the applicant as mentioned by him.

6. In the result, the following direction is given:-

R-2 is directed to receive the representation of the applicant dated 16-8-96 (Annexure-IV) and dispose of the same sympathetically within a period of one month from the date of receipt of a copy of this order. Till such time the representation is disposed of, the applicant shall not be disturbed ^{from} for the post of PWI/Kadiri as no permanent arrangement has been made vice him at Kadiri.

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


(R. Rangarajan)
Member (Admn.)

Dated : The 21st August 1996.
(Dictated in Open Court)

spr

Dy. Reg. S. 1001 (1)

OA.1001/96.

Copy to:-

1. The Sr. Divisional Engineer, Co-Ordination, S.C.Railway, Guntakal Division, Guntakal.
2. The Sr. Dtl., Personnel Officer, Guntakal Division, S.C. Railway, Guntakal.
3. One copy to Sri. Ch. Anji Reddy, advocate, CAT, Hyd.
4. One copy to Sri. C.V.Malla Reddy, SC for Rlys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED:

21/8/96

~~ORDER/JUDGEMENT~~

~~B.A. NO./R.A./C.A. No.~~

IN

B.A. NO.

1001/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

~~NO ORDERS AS TO COSTS~~

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