

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1768/97

Dt. of Decision : 01-01-98.

G. Apparao

.. Applicant.

Vs

1. The Divl.Rly. Manager,
SE.Railway,Visakhapatnam-4.

2. The Sr.Division Operation Manger,
S.E.Railway, Visakhapatnam-4.

3. The Sr.Divl.Personnel Officer,
SE Rly, Visakhapatnam.

.. Respondents.

Counsel for the applicant : Mr.Ch.M.Krishna

Counsel for the respondents : Mr.N.R.Devaraj, Sr.CGSC.

CORAM:-

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



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Heard Shri. C.H. Ravi. Krishna for the applicant and

~~None for the applicant.~~ Heard Mr. N.R. Devaraj, learned counsel for the respondents.

2. This OA is filed challenging the transfer, if urgent action is not taken to dispose of this OA the applicant only will be put to difficulty as the transfer order will keep lingering. Hence ~~even though the learned counsel for the applicant is not present~~ after the perusing the OA and hearing the learned counsels ^{of both sides} ~~for the respondents~~, the following orders are passed:-

3. The applicant is an SC candidate. While working as Station Superintendent, Ponduru he was transferred in the same capacity to Bacheli by the impugned order No. Estt./OPTS/A/289/97 dated 28-11-97 (Annexure-I). The applicant submits that this order has to be stayed and he should be posted at any Station between Ponduru and Waltair but nearer to Waltair. The reasons given by him are as follows:-

(1) He is an SC candidate and hence he should be accommodated somewhere near his home ^{town} ~~down~~ preferably near Waltair.

(2) He has worked in the kk line for the last 23 years and carried out number of transfers. Hence posting him in that line once again is not warranted as agreed to with the recognised unions. He should be brought nearer to Waltair as a matter of right as he had worked in the kk line for a very long time.

(3) His personnel problems in maintaining his father and education of childrens needs his posting near Waltair.

4. In this connection he had submitted two representations. The first representation ^{is} dated 26-11-97 (Annexure-II) and the next representation ^{is} dated 10-12-97 (Annexure-III). It appears both these representations are not replied yet.

5. In view of the above circumstances, the following direction is given:-


The representations of the applicant at Annexure-II and

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Annexure-III should be disposed of by R-1 as the posting order was issued by R-2. Those representations were addressed to R-2 *have to be disposed off by R-1* within a period of 30 days from to-day. Till such time the representations are disposed of *the applicant* ~~he~~ should be retained at Ponduru if he has not already been relieved and none ~~such~~ *note* is posted ~~with~~ him. In case he has already been relieved or somebody is posted at Ponduru the applicant should be granted leave till the disposal of the representations if he applies for the same in accordance with rules.

5. With the above direction the OA is disposed of at the admission stage itself. No costs.

(Registry should send a copy of this OA along with the judgement to R-1)


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 1st January, 1998.
(Dictated in the Open Court)

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[Signature]
1-1-98
DR

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...4..

Copy to:

1. The Divisional Railway Manager, South Eastern Railway, Visakhapatnam.
2. The Sr.Division Operation Manager, South Eastern Railway, Visakhapatnam.
3. The Sr.Civil.Personnel Officer, South Eastern Railway, Visakhapatnam.
4. One copy to Mr.Ch.M.Krishna, Advocate, CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

19/1/98

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE

VICE-CHAIRMAN

AND

R. Rangarajan :

THE HON'BLE MR. N. RAJENDRA PRASAD : M(A)

And

The Hon'ble Shri B. S. Jai Parameshwar

DATED: 1 - 1 - 1998

M(J)

ORDER/JUDGMENT:

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

in

O.A.No. 1768/97

T.A.No.

QW.P

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

