

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

O.A. NO. 101/97.

~~REDACTED~~

22

DATE OF DECISION 29.1.1997.

Sk. Nagur Shareef

(PETITIONER (S))

Shri P.Sridhar Reddy

ADVOCATE FOR THE PETITIONER (S)

VERSUS

The Sr. Divl. Engineer(Coord),

RESPONDENT (S)

S.C.Rly., Vijaywada & 3 ORs.

Shri T.Subba Rao for

ADVOCATE FOR THE RESPON-
DENT (S).

Shri C.Venkata Malla Reddy,

SC for Rlys.

THE HON'BLE Shri Justice M.G.Chaudhari : Vice-Chairman

THE HON'BLE Shri R.Rangarajan : Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not. ?
3. Whether their Lordships wish to see the fair copy of the judgement ?
4. Whether the Judgement is to be circulated to the other Benches ?

bill
Judgement delivered by Hon'ble Shri Justice M.G.Chaudhari,
Vice-Chairman.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.101/97.

Date of order : 29.1.1997.

Between

Sk. Nagur Shareef .. Applicant

And

1. The Sr. Divl. Engineer(Coord),
S.C.Rly., Vijaywada.
2. The Sr. Divl. Personnel Officer,
S.C.Rly., Vijaywada.
3. The Asst. Personnel Officer,
S.C.Rly., Vijaywada.
4. The Chief Permanent Way
Inspector, S.C.Rly.,
Bitragunta, Nellore Dt. .. Respondents

Counsel for the Applicant .. Shri P.Sridhar Reddy

Counsel for the Respondents .. Shri T.Subba Rao for
Shri C.Venkata Malla Reddy,
SC for Rlys.

C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman

Hon'ble Shri R.Rangarajan : Member(A)

Order

(Per Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman)

The applicant does not like his posting at Kasimkota and wants to be posted at Gudur. It is stated that it will be difficult for him to work at Kasimkota as there will be disruption of the family and as there are problems with the family. The representations filed by the applicant on 13.11.86 and 14.12.86 are still pending with the respondents provided they have actually been filed. The applicant has not waited for reasonable time much less for the time prescribed under the A.T.Act for the respondents to consider the representations and has rushed to the Tribunal.

will
2. When we turned to the representations we find that the on ground given is that he has some family problems. Nothing is

elucidated as to what is the nature of the problems he will suffer by being posted at Kasimkota and how those will be lessened if he is posted at Gudur. The tenor of the representations is that since he underwent family planning operation his request should be accepted. The applicant has also not substantiated that there is a provision under the family planning operation scheme to give posting to an employee or the spouse at a place of his choice. It is not therefore a matter of right and we have no reason to assume that the respondents would not consider the representations filed by the applicant—
on merits. Under the circumstances we find no sufficient ground to entertain this O.A. However, as the representations are pending, we would direct the respondents to dispose of the representations within a period of 15 days from the date of receipt of this order and communicate the decision to the applicant. The applicant will be well advised to report at Kasimkota in the meanwhile in compliance with the order of his absorption and posting and in the event his representation being granted the respondents can always post him to Gudur.

3. With the above observations the O.A. is disposed of.

Shri T. Subba Rao for Shri C. Venkata Malla Reddy, SC for Rlys. appears but has no instructions and takes note of the aforesaid directions.

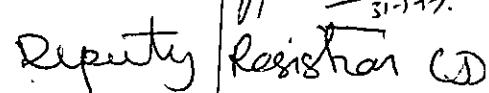

(R. Rangarajan)

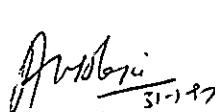
Member (A).


(M.G. Chaudhari)
Vice-Chairman.

Dated: 29.1.1997.
Dictated in Open Court.

br.


Deputy Registrar (D)


M.G. Chaudhari
31-1-97

(25)

6.A.101/97

To

1. The Sr. Divisional Engineer (Co-ord)
SC Rly, Vijayawada.
2. The Sr. Divisional Personnel Officer,
SC Rly, Vijayawada.
3. The Assistant Personnel Officer,
SC Rly, Vijayawada.
4. The Chief Permanent Way Inspector,
SC Rly, Bitragunta, Nellore Dist.
5. One copy to Mr. P. Sridhar Reddy, Advocate, CAT. Hyd.
6. One copy to Mr. ~~Exhibition~~ C. Venkatamalla Reddy, SC for Rlys, CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

PVM.

11/2/97
I COURT

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CHECHED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

R. Ranga Raju

THE HON'BLE MR. H. RAJENDRA PRASAD
MEMBER (ADMN)

Dated: 29 - 1 - 1997

ORDER / JUDGMENT

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

in
O.A.No. 101/97

T.i.No. (W.P.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.

