

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

D.A.No.303/1999.

Date of decision: 24-2-1999.

Between:

J.Venkateswarulu. Applicant.

and

1. Divisional Commercial Manager,
South Central Railway,
Vijayawada - 520 001.
2. Senior Divisional Commercial Manager,
South Central Railway,
Vijayawada - 520 001.
3. Senior Divisional Personnel Officer,
South Central Railway,
Vijayawada.
4. The Divisional Railway Manager,
South Central Railway,
Vijayawada.
5. General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad - 500 007. Respondents.

Counsel for the Applicant: Sri Krishna Devan.

Counsel for the Respondents: Sri J.R.Gopal Rao.

CORUM.

Hon'ble Sri R.Rogarjan, Member(A)

Hon'ble Sri B.S.Jai Parameshwar, Member(J).

O.A.No.303/99.

(by Hon'ble Sri R.Rangarajan, Member (A))
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Heard Sri Krishna Devan for the Applicant
and Ms. Sakthi for Sri J.R.Ropal Rao for the Res-
pondents.

The applicant was transferred by the impugned
Order No, B/P.676/I/1 Sr.CCS dated 7.1.1999(Annexure No.1
Page 6 to the O.A.).

The applicant contends that he was punished
for his mis-conduct and for that he was also transferred
on reversion to NDC. He contends that this amounts
to multiple penalties.

This O.A., is filed to set aside the impugned
transfer order dated 7.1.1999(Annexure 1 page 6 to the O.A.)
and a consequential direction to continue him in the
present place in the reverted post.

The applicant has submitted a representation O/19/20.2
to the Respondent No.4. It is stated that the said
representation is still pending consideration.

Transfers are administrative matters. The
Tribunal cannot interfere in the matter of transfers
unless some mala fide intention is brought to the
notice of the Tribunal. From a reading of the O.A.,





: 3 :

we do not see any motive on the part of the respondents for his transfer. It is, therefore, to be treated as an administrative action. However, his representation dated 19/20.2.1999 to the Respondents No.4 is still pending consideration which is hereby directed to be disposed of by the Respondent No.4 expeditiously within 21 days from the date of receipt of a copy of this Order. Till then, if the applicant's requests for grant of leave, the same shall be granted to him.

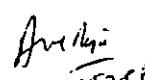
The grounds raised in this O.A., are not relevant grounds for staying the transfer order.

With the above directions, the O.A., is disposed of. No costs.


(B.S.JAI PARAMESHWAR)
Member (B)
24.2.99


(R.RANGARAJAN)
Member (A)

Date: 24-2-1999.
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Dictated in open Court.


Amulya
24.2.99

sss.