

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1106/99

dt. 25-8-1999

Between

1. B. Ismail
2. T. Subramani Chetty
3. K. Ranganathan
4. P. Razakvalli
5. N. Nanappas
6. VM Ahamadulla
7. N.D. Murthy
8. V. Obulesu
9. D. Prabhakar
10. P. Unnikrishnan
11. V.P. Marimuttu

12. P. Balanarasimha
13. S.K. Basheer
14. A. Edward
15. K. Kumara Swamy
16. M. Subramanyam
17. U. Suresh Kumar
18. K. Venkataramana
19. M. Manoharan
20. M. Thangaraj
21. K. Changalrayudu

: Applicants

and

1. Union of India, rep. by
General Manager, SC Rly.
Rail Nilayam, Secunderabad

2. Chief Personnel Officer
SC Rly., Railnilayam
Secunderabad

3. Divnl. Rly. Manager
(Personnel Branch)
SC Rly, Guntakal

4. Sr. Divnl. Personnel Officer
(Personnel Branch)
SC Rly, Sanchalanabhavan
Secunderabad

5. Sr. Divnl. Personnel Officer
(Personnel branch)
SC Rly., Guntakal

6. Sr. Comml. Manager
SC Rly., Railnilayam
Secunderabad HQs.
Secunderabad

: Respondents

Counsel for the applicants

: Krishna Devan
Advocate

Counsel for the respondents

: K. Siva Reddy
SC for Railways

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

Order

Oral order (per Hon. Mr. D.H. Nasir, Vice Chairman)J

Heard Mr. Krishna Devan for the applicants and Mr. K. Siva Reddy for the respondents.

1. The applicants 21 in number are challenging the legality of the impugned order No.G/P.677/11/Transfer/Catg. dated 18-2-1999 by which the applicants were transferred to SC Division with immediate effect. It is further stated in the impugned order dated 18-2-1999 that the transfer was made temporarily for a period of six months to meet the exigencies of the services/additional requirements in pantry car of AP Express and also Shatabdi Express scheduled to be introduced with effect from 19-2-1999 between SC and RJPY where the catering services were to be manned departmentally.

2. The learned counsel Mr. Krishna Devan points out that the impugned order dated 18-2-1999 by which transfer was enforced has expired on account of six months period from which the transfer was made was already over.

3. The learned counsel Mr. K. Siva Reddy ^{does not} dispute the fact that the transfer was temporary and it was to be ⁱⁿ ~~enforced~~ only for a period of six months. However, inspite of the fact that the period has expired, the learned standing counsel does not throw any light whether any order has been passed for transferring the applicant back to the original ^{on account of} position by ~~virtue~~ of the fact that immediate period for transfer is over.

4. Keeping the above facts in view I believe that the interests of justice will be served if the Respondent No.4

is directed to consider the case of the applicants to post them back to the original position and pass necessary orders within six weeks from the date of receipt of copy of this order.

5. The OA is disposed of accordingly. No costs.

Dan
(D.H. Nasir)
Vice Chairman

Dated : 25 August, 1999
Dictated in Open Court

*Am
16 sep*

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