

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1106/99

dt.25-8-1999

Between

- |                        |                      |
|------------------------|----------------------|
| 1. B. Ismail           | 12. P. Balanarasimha |
| 2. T. Subramani Chetty | 13. S.K. Basheer     |
| 3. K. Ranganathan      | 14. A. Edward        |
| 4. P. Razakvalli       | 15. K. Kumara Swamy  |
| 5. N. Nanappa          | 16. M. Subramanyam   |
| 6. VM Ahamadulla       | 17. U. Suresh Kumar  |
| 7. N.D. Murthy         | 18. K. Venkataramana |
| 8. V. Obulesu          | 19. M. Manoharan     |
| 9. D. Prabhakar        | 20. M. Thangaraj     |
| 10. P. Unnikrishnan    | 21. K. Changelrayudu |
| 11. V.P. Marimuttu     |                      |

: 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 RJY 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 <sup>does</sup> ~~had~~ not disputed the fact that the transfer was temporary and it was to be <sup>in</sup> ~~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 position <sup>on account</sup> ~~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.

  
(D.H. Nasir)  
Vice Chairman

Dated : 25 August, 1999  
Dictated in Open Court

  
16/8/99

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