

(5) X A/2 A/1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH,
JAIPUR.

Date of Decision: June 24, 1993.

1. OA 50/93

D.D. SHARMA Vs. UNION OF INDIA & ORS.

2. OA 78/93

SUBHASH CHANDRA GUPTA Vs. UNION OF INDIA & ORS.

3. OA 79/93

K.L. SHARMA Vs. UNION OF INDIA & ORS.

CORAM:

HON. MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON. MR. O.P. SHARMA, ADMINISTRATIVE MEMBER.

For the Applicants ... SHRI P.V. CALLA.

For the Respondents ... SHRI MANISH BHANDARI.

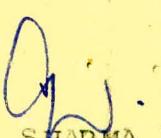
PER HON. MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

W. J. H. W.
In all the three cases, a common question of law and facts is involved, so these are decided by a common order. The applicants Subhash Chandra and D.D. Sharma were directed to work in the Meter Guage Booking Section, and the applicant K.L. Sharma was directed to work in Broad Guage Booking Office. In the orders Annexure A-1 and A-2, there is a reference that the Chief Commercial Manager, Kota, has directed that the persons working in the Booking Section may be utilised for parcel section and vice versa. In pursuance of the said directions, the applicants Subhash Chandra and D.D. Sharma were asked to work in M.G. Booking Section, and the applicant K.L. Sharma was asked to work in the B.G. Booking Section.

Directions were issued vide Annexure A-2 dated 14.1.93 to spare them for utilising them for the new work assigned to them.

2. Mr. P.V. Calla, with all his ~~vehemence~~, has argued the case on behalf of the applicants to oppose their transfer. However, he admits that it is not a case of change of cadre nor a case of change of seniority, nor do the transfers affect their promotion prospects adversely. The main contention of the learned counsel for the applicants is that in 1986 there was an agreement between the Union and the Railway Authorities, whereby it was decided that the persons of the Luggage Section shall not be shifted in Booking Section and vice versa. This type of agreement has no force of law. Apart from that, it is in the interest of the administration and general public that there should be occasional rotational transfers from Luggage Section to Booking Section and vice versa so that opportunities of harassment and other malfeasance are reduced, and no particular employee can monopolise working in a particular section.

3. Since it is a case of mere shifting of applicants from one section of the Railway Station to another section without affecting their rights or prospects in any way, we would not like to interfere in this arrangement. All the three applications are rejected. There will be no order as to costs.


(O.P. SHARMA)
MEMBER (A)


(D.L. MEHTA)
VICE CHAIRMAN