

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 30.04.2014

OA No. 291/00261/2014

Mr. Amit Mathur, counsel for applicant.

Heard learned counsel for the applicant.

O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.



(ANIL KUMAR)
ADMINISTRATIVE MEMBER

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00261/2014

Date of Order: 30.04.2014

CORAM

HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

R.P. Meena S/o Shri S.L. Meena, aged around 46 years, by caste Meena, R/o A-21, Ashish Vihar, Jagatpura, Jaipur, presently working as Presiding Officer, Railway Claims Tribunal, Jaipur (under transfer).

...Applicant

Mr. Amit Mathur, counsel for applicant.

VERSUS

1. The Railway Board through its Secretary, Rail Bhawan, New Delhi.
2. General Manager, North Western Railway, Jaipur.

...Respondents

ORDER (Oral)

The present Original Application has been filed by the applicant being aggrieved by his transfer order dated 22.04.2014 (Annexure A/1) vide which he has been transferred from North Western Railway to South Western Railway.

2. Learned counsel for the applicant vehemently argued that this transfer order of the applicant has been issued on the recommendations of the committee, which looked into the complaint against the applicant regarding Sexual Harassment of working Woman at Work Places. Learned counsel for the applicant emphasized that the recommendations of the committee are in the nature of inquiry committee's report and,

Anil Kumar

therefore, the committee can only either say that the charges are proved or not proved.

3. Learned counsel for the applicant placed the enquiry report on record as Annexure A/2 in which the committee has recommended that the applicant should be transferred out of zone immediately and stiff administrative action should also be taken against him.

4. Learned counsel for the applicant submitted at the bar that the applicant may be given a liberty to represent before the competent authority against his transfer order and prayed that till the representation is decided by the competent authority, his transfer order may be stayed.

5. Having heard the submissions of the learned counsel for the applicant and carefully going through the documents available on record, in the interest of justice, the applicant is given a liberty to file a representation, along with a complete copy of the paper book, before the respondent No. 1 within seven days from today. The respondent No. 1 is directed to consider and decide the representation of the applicant, if he so made within seven days from today, by a reasoned and speaking order according to the provisions of law expeditiously but in any case within a period of one month from the date of receipt of a copy of the representation from the applicant, as stipulated above.

Anil Kumar

6. The respondents are directed not to relieve the applicant from his present place of posting in pursuance to the order dated 22.04.2014 (Annexure A/1) till the representation of the applicant is decided by the respondent No. 1, if he has already not been relieved so far. It is made clear that if the applicant does not file such representation within the stipulated period, this order shall automatically cease to have effect.

7. With these observations and directions, the Original Application is disposed of with no order as to costs.



(ANIL KUMAR)
ADMINISTRATIVE MEMBER

kumawat