

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00210/2015

DATE OF ORDER: 24.04.2015

CORAM

HON'BLE MR. JUSTICE HARUN-UL-RASHID, JUDICIAL MEMBER
HON'BLE MR. R. RAMANUJAM, ADMINISTRATIVE MEMBER

Dr. Rajkumar Arichwal, aged about 58 years, son of Shri M.R. Sharma, Resident of A-68, Urmila Marg, Hanuman Nagar, Khatipura, Jaipur at present working on the post of ACHD/CHJP at Jaipur.

.....Applicant.

(By advocate Smt. Sangeeta Sharma)

VERSUS

1. Chief Personnel Officer, North Western Railway, Jaipur.
2. General Manager, North Western Railway, Headquarters' office, Jaipur.
3. General Manager (D), North Western Railway, Jaipur.
4. Chief Medical Superintend, North Western Railway, Jaipur.

.....Respondents

(By Advocate Mr. Anupam Agarwal)

Order (Oral)

Applicant has filed this Original Application seeking relief to set aside office order No. 38/2013 dated 25/03/2015 (Annexure A/1) and for directions to the respondents not to transfer the applicant from Jaipur to any other place during the remaining period of less than one and half years preceding the date of his retirement i.e. 31/08/2016.

2. Learned counsel for the applicant submits that transfer of the applicant from Jaipur is against the declared policy of Government of India which says that an employee should not be transferred to a distant place from his hometown during the last three years of his service immediately preceding his retirement. The applicant is about 58 and half years and is going to retire within one and half year i.e. on 31/08/2016. Applicant has been transferred from Jaipur to Jodhpur to accommodate Dr. Kalpana Mishra, who has been transferred from West Central Railway to North Western Railway.

3. We heard the learned counsel for both the sides. Learned counsel for the applicant submits that one Dr. Deepak Agarwal is going on study leave for three year from 25/03/2015 and applicant can be accommodated against the vacancy. Learned counsel for the respondents submits that there is a vacancy of Dr. Deepak Agarwal.

4. In the facts and circumstances of the case, we direct the respondent No. 2 to consider the case of the applicant sympathetically in order to accommodate him in the available vacancy.

5. With these directions OA is disposed of. There shall be no order as to costs.



(R. Ramanujam)

Member Administrative



(Justice Harun-Ul-Rashid)

Judicial Member