

**CENTRAL ADMINISTRATIVE TRIBUNAL****JAIPUR BENCH, JAIPUR****ORDER SHEET****ORDERS OF THE TRIBUNAL**Date: 10.03.2016OA/291/00161/2016

Mr.Amit Mathur, Counsel for the applicant

Matter relates to reinstatement and posting in the Railway.

When the case came up for consideration and hearing for admission today, Counsel for the applicant submitted that the revision petition was submitted by the applicant on 04.08.2014 and vide order dated 19.02.2016 (Annexure A/4) the Reviewing Authority decided that the punishment imposed for removal of service is reduced and imposed the punishment for lowering two stages below for two years with cumulative effect and reinstated the applicant in service. However, in pursuance of the said order, the applicant has been posted at Sikar vide order dated 01.03.2016 (Annexure A/1) though he was removed from service while posted at Jaipur and vide Annexure A/4 he has been reinstated and therefore he ought to have been posted at Jaipur itself.

Counsel for applicant further submitted that the mother and wife of the applicant are hospitalized at Jaipur and therefore posting on reinstatement at Jaipur also deserves sympathetic consideration. Counsel for applicant also submitted that he has not filed any representation to the Department challenging the transfer order dated 01.03.2016 (Annexure A/1).

After carefully considering the above submission and perusing the record, it is deemed appropriate to dispose of

the Original Application at admission stage itself, without going into the merits of the case lest it prejudices the case of either parties, with certain directions. The applicant may file a representation regarding Annexure A/1 order dated 01.03.2016 before the Respondent No. 2 within a week from receipt of copy of this order and the Respondent No. 2 shall consider and decide the same in accordance with law, within a period of one month from the date of receipt of the representation, if so filed.

The applicant is also directed to join his posting at Sikar in pursuance of Annexure A/1, but this will not be any bar for due consideration by the respondents of the representation (if any) filed by the applicant for his posting at Jaipur.

In view of the limited relief being granted, the requirement of issuing notices to the respondents is dispensed with.

The Original Application is disposed of at as above at admission stage, with no order as to costs.

  
(Ms. Meenakshi Hooja)  
Administrative Member

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