

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 7.10.98

OA 472/97

M.K.Talwar, Sr.Inspector of Stores Accounts O/o Dy.FA&CAO, Survey & Constructions, Western Railway, Ajmer.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. The Financial Advisor & Chief Accounts Officer, Western Railway, Churchgate, Bombay.
3. Shri M.A.Siddiqui, Sr.Inspector of Stores Accounts, c/o Dy.FA&CAO, Workshop & Stores, Western Railway, Ajmer.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.R.M.S.Panwar

For the Respondents

... Mr.R.N.Asopa, Sr.S.O.Accounts,
departmental representative

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, M.K.Talwar, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, assailing the order dated 8.10.97, at Annexure A-1, qua the applicant, by which he was transferred on the post of Inspector of Stores Accounts (for short, ISA) from the office of Deputy Financial Advisor & Chief Accounts Officer (Survey & Construction), Ajmer, to the office of Deputy Chief Accounts Officer (Workshop & Stores), Ajmer.

2. Heard the learned counsel for the applicant and Shri R.N.Asopa, Senior Section Officer Accounts, departmental representative for the respondents. Parties have agreed to this matter being disposed of at the stage of admission.

3. The grievance of the applicant is that he had put in only 11 months on the post of ISA (Survey & Construction) and since the posting of ISA is on tenure basis, he could not have been transferred within a period of 11 months to the office of Deputy Chief Accounts Officer (Workshop & Stores). It is stated on behalf of the applicant that other persons who had completed three years period could have been transferred from one jurisdiction to another jurisdiction i.e. from one post of ISA to another post of ISA but instead of doing so the respondent No.1 has transferred Shri M.A.Siddiqui to the separate office of Deputy Financial Advisor & Chief Accounts Officer (Survey &

Construction) only in order to accommodate him at Ajmer. The applicant has already joined as ISA in the office of Deputy Chief Accounts Officer (Workshop & Stores) at Ajmer. Now the applicant intends to make a representation to the concerned authority regarding his grievance.

4. In the circumstances, this application is disposed of, at the stage of admission, with a direction to respondent No.2 to decide the applicant's representation, if the same is made within a period of one month from the date of this order, in terms of rules, instructions and guidelines on the subject within a period of two months from the date of receipt of the representation. No order as to costs.

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK