

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR. (7)

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Date of Decision: 17.2.99

OA 396/98

V.K.Sachwani, Sr.Section Engineer (Works) in the O/o the Sr.Divisional Engineer, Western Railway, Kota.

... Applicant

Versus

1. Union of India through General Manager (E), Western Railway, Churchgate, Mumbai.
2. Chief Engineer General, Western Railway, Old Building, IInd Floor, Churchgate, Mumbai.
3. DRM, Western Railway, Kota Division, Kota.
4. Sr.Divisional Engineer, HQ, Western Railway, DRM Office, Kota Junction, Kota.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.P.V.Calla

For the Respondents

... Mr.T.P.Sharma

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, V.K.Sachwani, in this application under Section 19 of the Administrative Tribunals Act, 1985, has mainly prayed for a direction to the respondents to post him as Senior Section Engineer (CIOW) in the Kota Division in view of an order, at Annexure A-8.

2. Heard the learned counsel for the parties, who have agreed that the present matter relates to posting/transfer and, therefore, this should be heard and disposed of at the stage of admission by this Single Member Bench.

3. Applicant's case is that while working at Mumbai on the post of Senior Section Engineer, he made a request to the concerned authority for his transfer to the Kota Division since his wife Smt.Smita Sachwani is working as Chief Clerk in the office of the Divisional Railway Manager, Western Railway, Kota, and his mother, Smt.Vidya Sachwani, who is a cardiac patient, is also residing there. It has also been stated by the applicant that his

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daughter, aged 2½ years, is suffering from primary complex. In the circumstances, the applicant had requested the concerned authority for his transfer to Kota. However, by a communication dated 8/9.10.98, at Annexure A-1, the General Manager, Western Railway, Churchgate, Mumbai, was informed that it was not possible to adjust the applicant in the Kota Division. On the contrary, the respondents have stated that in the Kota Division there are four sanctioned posts of Construction Inspector in the pay scale of Rs.7450-11500 (RSRP) and already four employees are working on these posts. In view of these facts, the applicant was posted against a work-charge post at Tughlakabad vide order dated 20.11.98. The applicant has already complied with the order of his posting at Tughlakabad in the Kota Division. The learned counsel for the applicant has urged that the applicant should have been posted at Kota in view of the personal hardships being suffered by him.

4. In the circumstances, the present application is disposed of, at the stage of admission, with a direction to the respondents to consider the posting of the applicant at Kota on the post of Senior Section Engineer (Works) scale Rs.7450-11500 as and when a vacancy is available. No order as to costs.

G. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK