

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 16.12.1998

OA 420/98

Bal Ram, T.S.Driver under PWI (CTR), Sawai Madhopur, Western Railway.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Sr.Divisional Engineer (Hqrs), Western Railway, Kota Division, Kota.
3. Asstt.Engineer, Western Railway, Sawai Madhopur.
4. Divisional Railway Manager, Western Railway, Kota Division, Kota.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.C.B.Sharma

For the Respondents

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O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Bal Ram, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, assailing the impugned order dated 23.11.98, at Annexure A-1, by which the applicant was transferred from Sawai Madhopur to Baran under the Permanent Way Inspector, Baran, and his headquarter was changed from Sawai Madhopur to Baran.

2. Heard the learned counsel for the applicant.

3. Applicant's case is that he is a Casual Truck Driver at Sawai Madhopur in the Kota Division of the Western Railway. He has now been ordered to be transferred from Sawai Madhopur to Baran on the same post. His headquarter has been changed from Sawai Madhopur to Baran. It is stated by the learned counsel for the applicant that no reason has been indicated for such a peculiar action. It is also stated that the applicant has two school going children studying in Class-VI and VII and the applicant has been transferred in the mid academic session and such an action may adversely affect the studies of his children. The applicant belongs to ST category. The applicant has not made any representation to the concerned authority regarding his transfer and change of headquarter before approaching this Tribunal. The learned counsel for the applicant states that the applicant now intends to make a representation to the concerned authority.

4. In the circumstances, this application is disposed of, at the stage of

admission, with a direction to the applicant to make a representation to the concerned authority regarding his transfer and change of headquarter within a period of one week from the date of this order and if any representation is made within this period, the same shall be disposed of by respondent No.4 within a period of one month from the date of its receipt through a detailed speaking order on merits in the light of the relevant instructions and guidelines on the subject. Let a copy of the OA and the annexures thereto be sent to respondent No.4 alongwith a copy of this order.

C. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK