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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 28.4.98

QA 46/98

Pooran Chand F, Repacker (Fitter Gr.III) at Agra East Bank in the office of Carriage & Wagon Superintendent, Agra East Bank, Western Railway, Agra (UP).

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Divisional Railway Manager, Western Railway, Kota (Raj.).
3. Carriage & Wagon Supdt., Agra East Bank, Western Railway, Agra (UP).

... Respondents

CORAM:

HON'BLE MR.GOPAL FRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.P.P.Mathur, Advocate, brief holder  
for Mr.Akhil Simlote

For the Respondents

... Mr.T.P.Sharma

O R D E R

PER HON'BLE MR.GOPAL FRISHNA, VICE CHAIRMAN

Applicant, Pooran Chand F, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, assailing the impugned order dated 1.1.98, at Annexure A-1, qua the applicant, by which he was transferred from Agra to Kota on the post of Fitter Grade-III,

2. Heard the learned counsel for the parties.

3. Applicant's case is that he has completed 55½ years of age and shall be retiring after about two and a half years and that he has spent almost his entire service career at Agra East Bank. He has nine children including seven daughters and two sons. The applicant is a low paid employee and since his transfer has been made in the mid academic session, it may adversely affect the career of his school going children. It is contended on his behalf that the respondents have retained junior persons at Agra East Bank and have chosen to transfer senior persons like the applicant to a distant place. The order of transfer has been challenged as being arbitrary. The learned counsel for the applicant wants to make a fresh representation to the concerned authority in regard to his grievance. The applicant has already joined at Kota. In the circumstances, the learned counsel for the respondents has no objection if the applicant makes a representation and the same is decided by the concerned authority.

C. K. Singh

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4. This application is therefore disposed of, at the stage of admission, with a direction to respondent No.2 to entertain the applicant's representation, if the same is made within 15 days from today, and decide it with due sympathy in accordance with rules, instructions and guidelines on the subject within a period of two months from the date of its receipt. No order as to costs.

G. Krishna  
(Gopal Krishna)  
Vice Chairman

VK