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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 31.8.1999

OA 328/99

1. N.S.Chaudhary, W.T.M., Madanganj, Kishangarh, Distt. Ajmer.
2. Vijay Shankar Tiwari, W.T.M., Palanpur (Gujarat).

... Applicants

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Ajmer.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.N.P.NAWANI, ADMINISTRATIVE MEMBER

For the Applicants	... Mr.N.K.Gautam
For the Respondents	... Mr.R.G.Gupta

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicants, named above, have filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to consider their representations as also to retain them in the Ajmer Division of the Western Railway and get their lien transferred from their respective divisions to the Ajmer Division.

2. We have heard the counsel for the parties, who have agreed to this matter being disposed of at the stage of admission.

3. Applicants are serving as Wireless Telecommunication Maintainer (WIM, for short). Applicant No.1 namely N.S.Chaudhary has his lien in the Kota Division and applicant No.2 namely Vijay Shankar Tiwari has his lien in the Baroda Division of the Western Railway. The contention of the applicants is that there are several vacancies of WIM Grade-I and since there is no suitable candidate available in the Ajmer Division, they could be considered and adjusted in the Ajmer Division. However, the respondents have stated that the applicants cannot press for their lien in the Ajmer Division, where they had come to work at their own accord when the applications were invited by the respondents from willing persons, and this does not create any special right in favour of the applicants to press for their absorption in

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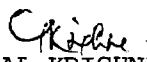
the Ajmer Division itself. Applicant No.1 has made a representation vide Annexure A-7 dated 11.6.99 and the applicant No.2 has made a representation vide Annexure A-9 dated 30.3.99. The applicants have prayed for a direction to the respondents to consider these representations for their retention in the Ajmer Division and for transfer of their lien from their respective divisions to the Ajmer Division of the Western Railway.

4. In the result, the present application is disposed of with a direction to the respondents to consider the representations of the applicants, referred to above, for their retention in the Ajmer Division and for transfer of their lien from their respective divisions to the Ajmer Division of the Western Railway in accordance with rules, instructions and guidelines on the subject within a period of four months from the date of receipt of a copy of this order. No order as to costs.



(N.P. NAWANI)

ADM. MEMBER

  
(GOPAL KRISHNA)

VICE CHAIRMAN

VK