

2

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

✓ O.A./TA/ NO... 252009
R.A./CP/NO.....2019
E.P./M.P./NO.....2015

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5. E.P/M.P.page.....to.....
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SECTION OFFICER (JUDL.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

1. Original Application No.
2. Misc Petition No.
3. Contempt Petition No.
4. Review Application No.

25/09

Applicant(S) Arum Kr. Borah VS- Union Of India & Ors

Advocate for the Applicant(S) D.K. Das

Advocate for the Respondent(S) Railways advocate

Notes of the Registry

Date

Orders of the Tribunal

Application is in form
is filed/C.F. No. 10/-
d pos and vide P. 18D
No. 39.6.39.3322
Dated 16.2.09

9.02.2009

For the reasons recorded separately, this
O.A. stands disposed of.

Dy. Registrar

(M.R. Mohanty)
Vice-Chairman

bb/

steps taken with
envelops, undertaking
given for service.

18/2/09

24.2.09

Received copy of order dated
19.2.09.

Sankar Kumar Baruah
for Arum Kr. Borah
applicant.
Nagason (Assam).

2-
Sankar Kumar Baruah
for Arum Kr. Borah
applicant.
Nagason (Assam).
18/2/09

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.25 of 2009

DATE OF DECISION: 19.02.2009

Sri Arun Kumar Borah

.....Applicant/s.

Mr.D.K.Das

..... Advocate for the
Applicant/s.

- Versus -

U.O.I. & Ors

.....Respondent/s

Dr.J.L.Sarkar,, Railway Standing counsel

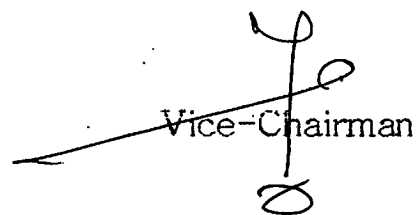
.....Advocate for the
Respondents

CORAM

THE HON'BLE MR.MANORANJAN MOHANTY, VICE CHAIRMAN

4. Whether Reporters of local newspapers may be allowed to see the Judgment? Yes/No[✓]
5. Whether to be referred to the Reporter or not? Yes/No[✓]
6. Whether their Lordships wish to see the fair copy of the Judgment? Yes/No[✓]

Judgment delivered by


 Vice-Chairman

5

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No.25 of 2009

Date of Order: This, the 19th Day of February, 2009

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

Sri Arun Kumar Borah
S/o Late Haladhar Borah
R/o Vill- Barhampur
P.O.- Barhampur
Dist- Nagaon, Assam
Working as Assistant Station Master
Haiborgaon Railway Station, Nagaon
Dist- Nagaon, Assam.

.....Applicant.

By Advocate: Shri D.K. Das

-VERSUS-

1. The Union of India
Represented by Commissioner
& Secretary to the Ministry of Railway
Rail Bhawan, New Delhi-1.
2. The Chief General Manager
N.F. Railway, Maligaon
Guwahati-11.
3. The Sr. Divisional Operational Manager
N.F. Railway, Lumding
Pin- 782447.
4. The Divisional Railway Manager (P)
N.F. Railway, Lumding
Pin- 782447.

... Respondents.

By Advocate: Dr. J.L. Sarkar, Railway Standing Counsel



ORDER (ORAL)
19.02.2009

MANORANJAN MOHANTY, (V.C.):

Heard Mr. D. K. Das, learned counsel appearing for the Applicant and Dr.J.L.Sarkar, learned Standing counsel for the Railways (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.


2. Having faced with an order of transfer dated 09.04.2008 (passed by the Personnel Department) the Applicant submitted a representation on 14.04.2008 to the Divisional Operating Manager to stay the transfer order. When the Personnel Department (at Zonal level) approved the transfer in question, the Divisional Operating Department could not have stayed the transfer order. There are no material available on record to show that the Applicant ever submitted any representation to the Personnel Department/General Manager pertaining to his transfer.

3. In the aforesaid premises, the Applicant has filed a memorandum (today) to the following effect:-

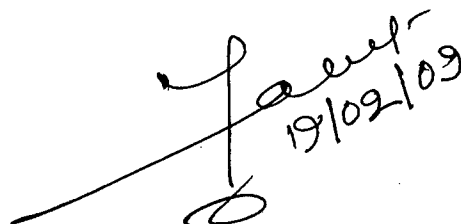
"That the petitioner wants to withdraw this petition with a liberty to file fresh/a representation seeking stay/modification of the transfer order dtd.9.4.08 before the appropriate authority i.e., the Personnel deptt of Maligaon who approved the transfer proposal."

It appears that the Applicant is going to pursue the matter (with the Personnel Department of N.F.Railway) raising his grievances pertaining to the order of transfer dated 09.04.2008.

4. In the aforesaid premises, this case is, hereby, disposed of being withdrawn.



5. Send copies of this order to the Applicant and to all the Respondents (along with copies of this O.A.) in the address given in the O.A. and free copies of this order be also supplied to the learned counsel appearing for both the parties.

A handwritten signature in black ink, appearing to read 'Manoranjan', with a date '19/02/09' written next to it.

(MANORANJAN MOHANTY)
VICE-CHAIRMAN

/bb/

Before the Central Administrative Tribunal at Guwahati Bench

File in Court on 19/2/09
Court Officer.

O.A. 100 28/09

Admission
Petition
19/2/09

Shri A.K. Bora
... Petitioner

Union of India & Ors.
... Respondent

The petitioner, most
Respectfully beg to state
that

Admission
Bora
Dt. 19.2.2009

D that the petitioner wants
to withdraw his petition
with a liberty to file fresh/
a representation seeking stay/
modification of his transfer order
dt. 9.4.08 before the appropriate
authority i.e. in person
deptt of Haldighar who approved
the transfer proposed.

I have no
objection in
withdrawing the OA.

19/2/09
S.C. B.

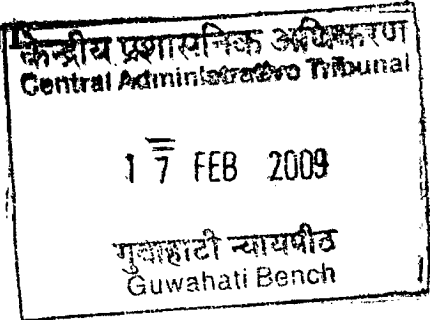
It is further prayed that
there is no plea to
admit his petition and
that in some ad order

OA (in 244 sets) and 180 2 Envelopes is
filed today by Sh. D. K. Das - undertaken
to serve copy on the other side.

17/2/09

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : AT GUWAHATI



O.A. NO. 25 / 2009

Sri Arun Kumar Bora

.....Petitioner

- Vs -

The Union of India as

..... Respondent

I-N-D-E-X

Sl. No.	Particulars	Page No.
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4.	Annexure - 1	9 - 9(A)
5.	Annexure - II	10 - 11
6.	Annexure - III	13
7.	Annexure - IV	15
8.	Annexure - V	17
9.	Annexure - VI	19
10.	Annexure - VII	20

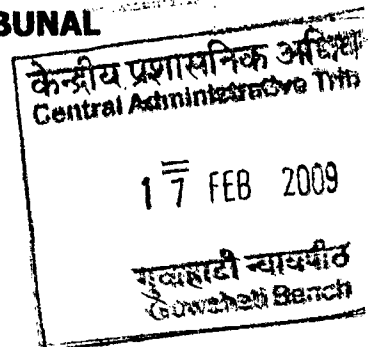
Filed by

16/2/09
Advocate

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : AT GUWAHATI.

O.A. NO. 25 / 2009



Sri Arun Kumar Bora

.....Petitioner

- Vs -

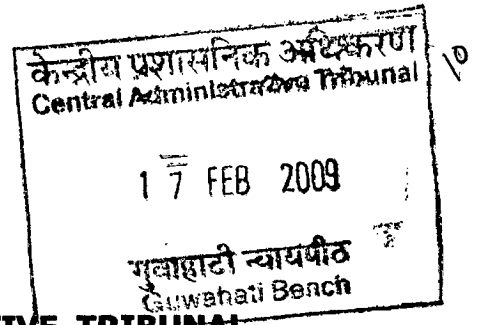
The Union of India and Ors

..... Respondent

S-Y-N-O-P-S-I-S

This petition has been filed by the petitioner seeking the direction to dispose of the representation dated 14-04-08 which was filed for seeking stay or modification of the transfer order dated 09-04-08 issued by the respondent No.4 whereby the petitioner has been transferred to Tinmile Halt station as Assistant Station Master under Sr. DOM/KIR Railway division. The petitioner is presently working as Assistant Station Master, Haiborgaon Railway Station under Lumding Rail Division sincerely and honestly. While the petitioner was on medical leave w.e.f. 05.04.08, the petitioner received a copy of transfer order dated 09.04.08 issued by the respondent No.4. The petitioner being honest and sincere employee of the N.F. Railway, he stunt while he got his transfer order and therefore the petitioner immediately filed a representation before the authority for stay or modification of his transfer order, but the authority doing any needful the same they remain silent since long and having no alternative and no other efficacious remedy available to the petitioner, the petitioner approach this Hon'ble Tribunal for seeking direction to dispose of his representation.

Filed by
16/2/09
Advocate



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : AT GUWAHATI.

O.A. NO. 25 / 2009

Sri Arun Kumar Bora

.....Petitioner

- Vs -

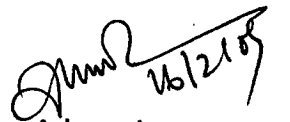
The Union of India and Ors.

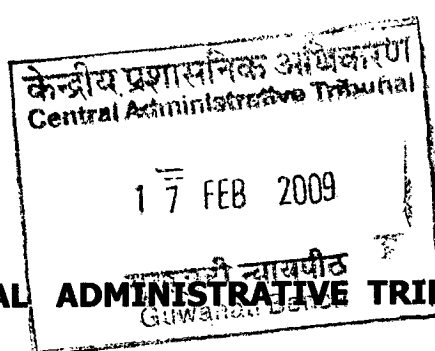
..... Respondent

LIST OF DATES

05-04-08	The petitioner was on medical leave with intimation to the authority.
09-04-08	The authority issued transfer order (Annexure-VI)
14-04-08	The petitioner had submitted a representation to the authority seeking stay /modification of his transfer order which is still pending (Annexure-VII)

Filed by


Advocate



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL :
GUWAHATI BENCH : AT GUWAHATI.

Filed by
Advocate for the
Petitioners.

O. A. No. 25 / 2009

Sri Arun Kumar Borah , S/o Late
Haladhar Borah , R/o Vill - Barhampur,
P.O.-Barhampur in the District of
Nagaon, Assam, and working as
Assistant Station Master, Haiborgaon
Railway Station, Nagaon District -
Nagaon, Assam

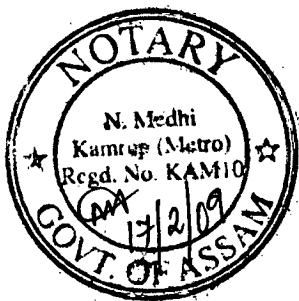
Arun Kumar Borah

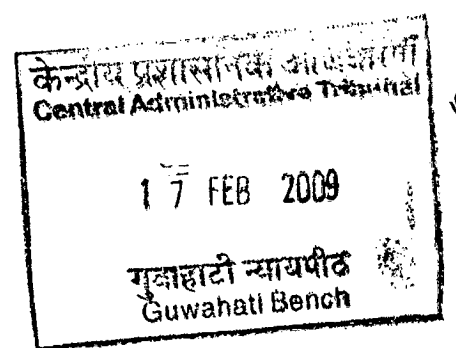
..... Petitioner

-V-E-R-S-U-S-

1. The Union of India,
Represented by its Commissioner and
Secretary to the Ministry of Railway,
Rail Bhawan, New Delhi. - 1
2. The Chief General Manager,
N.F. Railway, Maligaon Guwahati. - 11
3. The Sr. Divisional Operational ,
Manager, N.F. Railway, Lumding , 782447
4. The Divisional Railway
Manager (P) N.F. Railway, Lumding. - 782447

..... Respondents





DETAILS OF THE PETITIONER

PARTICULARS OF ORDERS AGAINST WHICH THIS PETITION IS MADE:

1. This petition has been preferred by the petitioner against the impugned order bearing No. E/39 -20 ASM / SM / Pt - IX (T) dated 09.04.08 issued by the Divisional Railway Manager (P) N.F. Railway, Lumding, by which the Petitioner has been transferred to Tinmile Halt under Sr. DOM / KIR Division **(Annexure - VI)**

2. JURISDICTION OF THE TRIBUNAL:

The petitioner declares that, the subject matter of the petition is within the jurisdiction of this Hon'ble Tribunal.

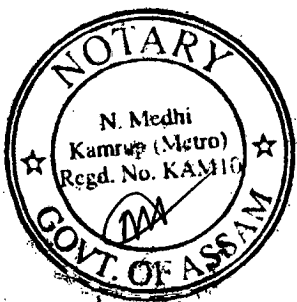
3. LIMITATION :

The Petitioner declares that, the petition is filed within the period of Limitation as prescribed under section 21 of the Administrative Tribunal Act, 1985.

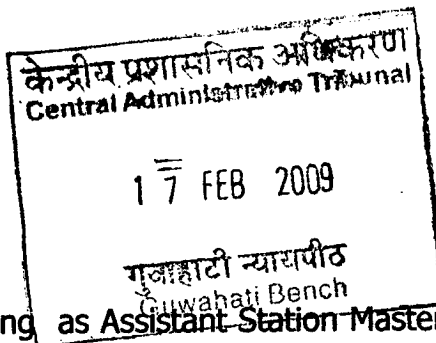
4. FACTS OF THE CASE:

a) That the Petitioner is a permanent resident of Nagaon, Assam and is a bonafide citizen of India by birth and as such the petitioner is entitled to the rights and privileged guaranteed under part - III of the Constitution of India and other legal rights granted by the various Acts, Rules, Statutes etc. framed there under presently being in force.

b) That the Petitioner is a 'C' category employee of N.F. Railway working since last twenty five years and serving various places of North East



Arjun Kumar Borah



13
✓ Assm Kumar Bora

under N.F. Railway and presently serving/working as Assistant Station Master, hereinafter referred to as "ASM" in Haiborgaon Railway Station, under Lumding Division of N.F. Railway.

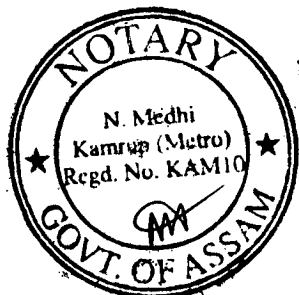
c) That since after the joining in the N.F. Railway, the petitioner who dedicated himself for the development of Railway and devoted his all energy to the satisfaction of the authority

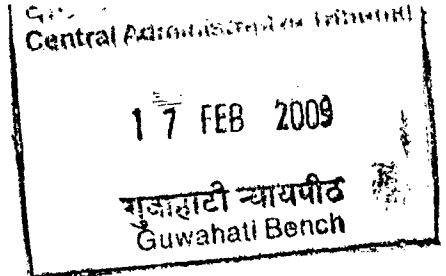
d) That the petitioner while he is working as ASM, Haiborgaon on 05-04-08 he suffered backache due to fall on the bathroom and he immediately reported to the station Superintendent, Haiborgaon N.F. Railway who allowed the petitioner for treatment and accordingly the petitioner reported the Chapormukh Health Unit of N.F. Railway in the same day, but due to non availability of sufficient equipment and treatment, the Chapormukh Health Unit-in-charge verbally referred him to Nagaon Civil Hospital for treatment and the petitioner, thereafter the in the same day proceed to Nagaon and approached the Doctor of Nagaon Civil Hospital at Nagaon, and one Dr. M. Bora of Nagaon Civil Hospital advised the petitioner for physiotherapy as well as absolute bed rest for 90 day's initially and there after, as per advise of the doctor the petitioner informed the authority and he is in total bed rest.

Copies of the said medical certificates is enclosed herewith and marked as **Annexure - I to V** respectively.

e) That, during the period of bed rest i.e. on medical leave, the petitioner received a copy of his transfer order issued by the respondent No. - 4 vide No. E / 39-20 ASM / SM / Pt - IX (T) dtd. 09.04.08. Though the reason for transfer is not mentioned, it is done purely on administrative interest and the

Contd.....4/





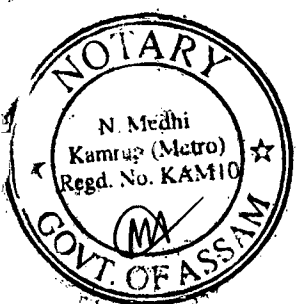
✓ Arun Kumar Bora

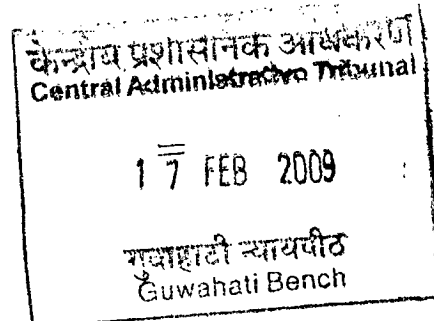
petitioner, on receipt of the said order dtd. 09.04.08, through the Station Superintendent of Haiborgaon Station had submitted a representation on 14-04-08 to the authority where by the petitioner seeking stay or modification of the order dtd. 09.04.08 mentioning some sufficient grounds and the same is still pending before the authority.

A copy of the said transfer order dtd. 09.04.08 and a copy of representation thereof dtd. 14-4-08 are enclosed herewith and marked as **Annexure- VI and VII** respectively.

f) That the petitioner in his representation dtd. 14.4.08 requested the authority to modified his transfer order dtd.9.4.08, but the respondent authority has not yet disposed of that representation till date. However the petitioner has not yet joined his new place of posting due to his ill health and it would result serious hardship to the petitioner if he is compelled to join at Tinmile Halt under Sr. DOM / KIR as his wife who is a heart patient reside with him and it will be appropriate to mention here that , in the Tinmile Halt area there is no Assamese medium school where the the children of the petitioner can avail the privilege of education . Further it is mentioned it is also mentioned here that , the elder sister-in- law who is a cancer patient staying with the petitioner and the petitioner who look after her and unless the said transfer order dated 09-04-08 is modified , the petitioner will suffer a lot and all the dependents will suffer and the children will lost their legitimate right of education.

Contd.....5/





g) That the petitioner states and submit that unless and until the respondent authority is directed for disposing of the representation dated 14-04-08, the very purpose of the same will be frustrated.

DETAILS OF REMEDY EXHAUSTED

6. That it is stated that there is no other remedy under any rule and this Hon'ble tribunal is the only remedy.

MATTER NOT PENDING WITH ANY OTHER COURT

7. The petitioners declares that no case is pending before any other Court / Tribunal.

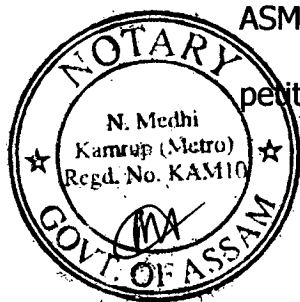
8. RELIEF SOUGHT FOR

In the facts and circumstances of the case the applicants prays for the following reliefs :-

(8) (i) The respondents be directed to dispose of the representation dtd. 14.4.08 submitted by the petitioner to the authority and allowed the petitioner to continue to serve as ASM at Haiborgaon station till disposal of the representation.

INTERIM RELIEF

In the facts and circumstances of the case, the petitioners prays for an interim order staying the operation of the impugned order dated 9.4.09 issued by the respondent no.4 (Annexure -) vide No. - E / 39 - 20, ASM / SM / Pt - IX (T) dated 09-04-08 and allowed the petitioner to continue to his duties as ASM / Haiborgaon Rail station under Lumding Division till disposal of this



9. In the event of the petition being sent by registered post the application has been filed through lawyer.

10. PARTICULARS OF THE POSTAL ORDER

I.P.O. No :- 39G 393322

Date of issue :- 16-02-09

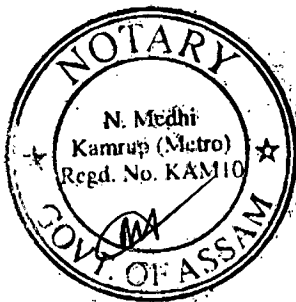
Issued from :- G.P.O.

Payable at :- Registrar CAT, GHY. Bench

11. LIST OF ENCLOSURE:

As per index.

Verification.....



-२-

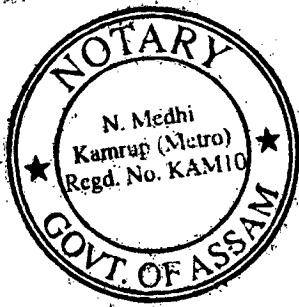
केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal
17 FEB 2009
गुवाहाटी न्यायपीठ Guwahati Bench

V-E-R-I-F-I-C-A-T-I-O-N

I, Shri Arun Kumar Bora, son of late Haladhar Bora, aged about 51 years working as Assistant Station Master at Haiborgaon Railway Station, Nagaon, Assam, a resident of village- Hatiyanibheta, Barhampur, P.O. – Barhampur, P.S. Sadar in the District Nagaon, Assam do hereby verify that the contents of the para 1 to 3,5,6,7, and 8 are true to my knowledge and para 4(d) and 4(e) are matter of records which I believed to be true and I have not suppressed any material facts.

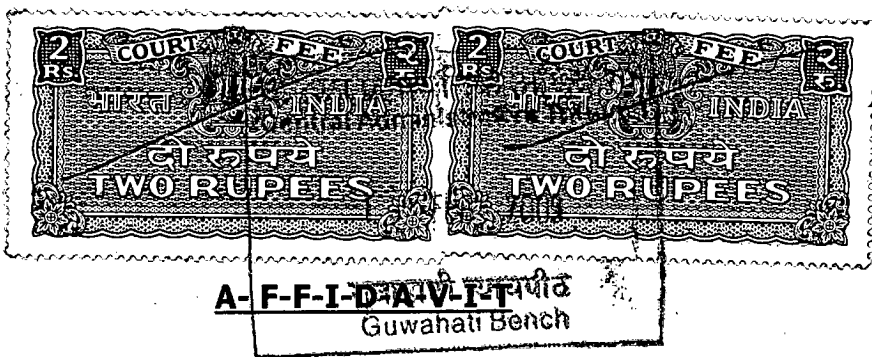
And I have signed this verification today the 17th day of February, 2009 at Guwahati.

— Arun Kumar Bora
Signature



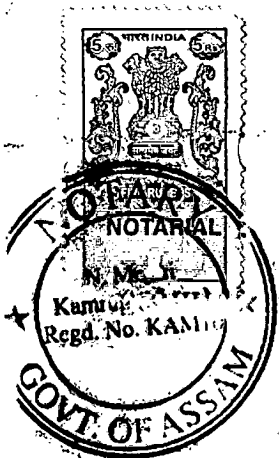
Solemnly affirmed before me

N. Medhi
17/2/09.
N MEDHI
Advocate / Notary



-8- 8

Sl. No. 40207



I, Shri. Arun Kumar Bora, aged about 51 years, S/o of Late Haladhar Bora, a Hindu by religion, Service by profession, a resident of village-Hatiyanibheta, Barhampur, P.O. Barhampur, P.S. Sadari the district of Nagaon Assam, do hereby solemnly affirm and declare -

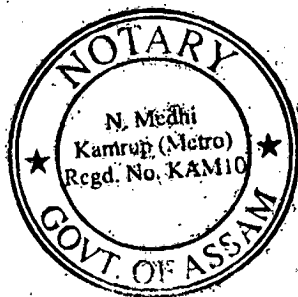
1. That I am the writ petitioner of this petition and as such I am well acquainted and fully conversant with the facts and circumstance of the case and competent to swear this affidavit.

2. That the statements made in this affidavit hereinabove and those made in paragraphs 1,2,3 5,6,7, and 8 of the accompanying petition are true to the best of my knowledge, which I believe to be true and those made in paragraphs 4(e) and 4(d) of the accompanying petition being matter of records are true to my information derived therefrom, which I believe to be true and the rest are my humble submissions before this Hon'ble Court.

And I sign this affidavit on this 16th day of February, 2009 at Guwahati.

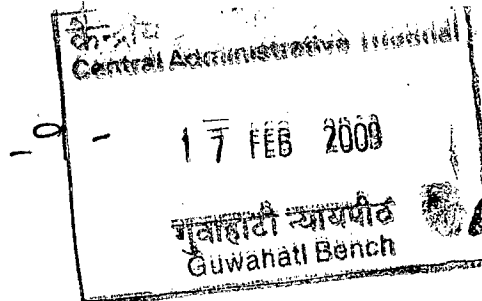
✓ Arun Kumar Bora
Deopnent

Identified by
Ramesh Ch. Dm
Advocate Clerk.



Solemnly affirmed before me

N. Medhi
17/2/09
N MEDHI
Advocate / Notary



ANNEXURE-I

Typed Copy

Relevant portion

North Frontier Railway

No. NFR 149/N/F/O .69

Sick Memo HBN /27-41086

Department Traffic / Office SS /HBN

Date 05-4-08

Name of the Medical Officer CFK Health Unit .

The under mentioned requires ,treatment ,please attend in the prescribed certificate .

Name Sri Arun Kr. Bora / Designation ASM /HBN

Ticket No. Nil .

Date of Appointment 14-11-00

Section Optg . Pay / Leave Salary Rs. 7075 /-

Sd/- Illigible ,

Station Superintendent ,
Haibargaon ,N.F. Rly .

Arrival

- 0 -

Certified to be true copy

[Signature]
16/2/09
Advocate

-9(A)

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

17 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

पुनर्विचार आदेश
New Order / Revision

पुनर्विचार क्र. 149/N P.O. 43

पुनर्विचार क्र. 149/N P.O. 43

पुनर्विचार / Sick Memo HBN/27-9/08

विभाग / Department Traffic कार्यालय / Office SS/HBN

तारीख / Date 05-9-08

क्या है / Is

पुनर्विचार / The Medical Officer CPK Health Unit.
पुनर्विचार / The undermentioned requires treatment, please
पुनर्विचार / the prescribed certificate.

पुनर्विचार / Sn Arun Kr. Borah / Designation ADM/HBN

पुनर्विचार / Ticket No.

पुनर्विचार / Date of appointment 14-11-08

पुनर्विचार / Pay/Leave Salary R 2075/-

पुनर्विचार / B.N.

पुनर्विचार / Station / Designation (कार्यालय मोहर / Office Seal)

हयबर्गाव पु० सी० रेलवे
Station Superintendent
Halbargaon. N.F. Riv

प्रतिपद / Arrival

पुनर्विचार / Short Office 14-N

पुनर्विचार / Time Office

पुनर्विचार / Note

पुनर्विचार / धन्यवाद / Thank you

पुनर्विचार / Date

पुनर्विचार / Date

Certified to be true copy

Advocate 16/21/08

Typed copy

-10-

Name of the Patient : Arun Bora
 Father's / Husband's Name :

Age :

Sex :

Address :

केन्द्रीय प्रशासनिक अधिकरण
 Central Administrative Tribunal

17 FEB 2009

गुवाहाटी बेंच
 Guwahati Bench

OPD Regd. No. 21,993

Date : 05 / 04 / 08.

Date

5 - 4 - 08

Findings of Examination

Low Backache Disc prolapse

Advice

Rx

Brufen MR (30)

1 tab BD PC

Rablet 20 (30)

1 tab daily

Dcal 2 (90)

1 tab daily

Adv Physiotherapy as directed

Absolute bed rest for

90 (ninety) days

sd/-sh

Rx

Inj Ketanor

Q 1 ap i m sos

stifofil MR

1 tab twice daily

other remains same

sd/-sh

17-06-08

04-07-08

Adv. to continue same medication

Bed rest for another 90 (ninety) days,

w.e.f. 5.7.08

sd-4.7.

12-06-08

Rx

tab Brufen MR (30)

tab Aciloc RD (30)

Adv Consult & Endocrinologist

(Certified to be true copy)

[Signature] 16/2/09
 of date

Typed copy

-11-

Date

Findings of Examination

Advice

03-10-08

Low backache

Rx

Inj Tremador

Q 1 ap i m sos

Serasek (30)

1 tab twice daily PC

Famocid 20 (30)

1 tab BDM

Ach Rest for 90 (ninety) days

sd-

10-12-08

Low backache

Rx

stifnil MP (30)

1 tab twice daily PC

Pantocid 40 (30)

1 tab daily

sd-

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
17 FEB 2009
गुवाहाटी न्यायपीठ
Guwahati Bench

Certified to be true copy

[Signature] 16/2/09
Advocate

-12-

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
17 FEB 2009
गुवाहाटी न्यायपीठ
Guwahati Bench

6



OFFICE SEAL OF
HEALTH INST.

NATIONAL RURAL HEALTH MISSION

Name of the Patient : ARUN BOYA Age : Sex :
Father's / Husband's Name : Address :

OPD Regd. No. 21993 Date 5/4/08

Date	Findings of Examination	Advice
5-4-08	Low Backache Disc prolapse	Rx Brufen MR (30) q: 1 tab BD PC Rablet 20 (30) q: 1 tab daily Dcal 2 (90) q: 1 tab daily Adv: Physiotherapy as directed Absolute bed rest for 90 (ninty) days
17-6-08		Rx, 3mg Ketanor q: 1 op 1st 208. Stiffnil MR q: 1 tab twice daily Others remains same
4-7-08		Adv: to continue same medication Bed rest for another 90 (ninty) days Recd 5.7.08
12-9-08		Rx tab Brufen MR (30) tab Aceloc RD (30) Adv: Consult E Endocrinologist

माकब गांधीर सञ्चानर वारे उत्तम आहार।

वि प्र : अनुग्रह करि अहारार आहोते कार्डरन लग्गत् लै आहिर।

Certified to be true copy

[Signature]
16/2/09
Advocate

12- (A)

কেন্দ্রীয় প্রশাসনিক আধিকারণ
Central Administrative Tribunal

17 FEB 2009

গুৱাহাটী ন্যায়পীঠ
Guwahati Bench

OPD Regd. No.		Date :
Date	Findings of Examination	Advice
3-10-08	Low backache	<p>Rx, 2y Tremadol 7! 1ap 1M 505. 1 Serase-K (30) 7 1 Tab twice daily pc 1 Famocid 20 (30) 7 128 ASD PC</p> <p><u>Rel</u> Rest for 90 (ninty) days. mb</p>
10.12.08	Low backache	<p>Rx, stiffnil MR (30) 7 126 twice daily pc 1 Pantocid 40p (30) 7 126 daily mb</p>

ন'বা বা ছোৱালী দুয়ো সমান — কণা সন্তানক বচাওক।

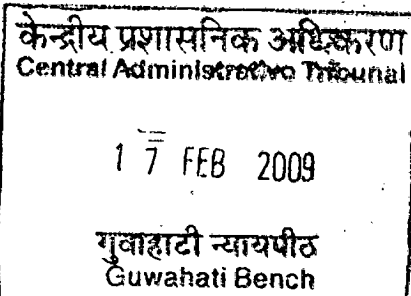
বিঃ অঃ অনুগ্রহ কৰি অহাৰ আশেতে কাৰ্ডখন লগত লৈ আদিব।

Certified to be true copy

16/2/09
Advocate

Typed copy

- 13 -

To whom it may concern

This is to certify that Shri Arun Kumar Bora of Barhampur, Nagaon has been suffering from low backache MRI-shows Intervertebral disc degeneration C disc prolapse and treated by me at BP Civil Hospital, Nagaon as OPD patient vide OPD Regd. No. 21,993 / 08 from 05 - 04 - 08.

He was advised to take bed rest for 90 (Ninety) days w.e.f. 05 - 04 - 08.

sd/

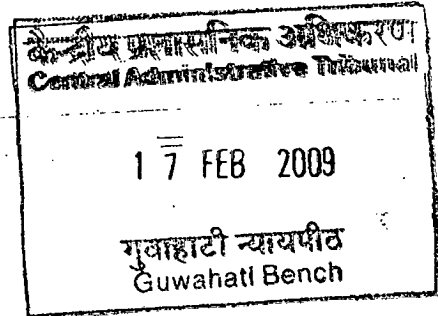
(Dr. M. Bora)

5/4/08

Certified to be true copy

16/2/09
Advocate

-14-



To whom it may concern

This is to certify that
Shri Arun Kumar Bora of Borhampur,
Nagaur has been suffering from low
backache [MRI-shows intervertebral disc
degeneration & disc prolapse] and
treated by me at BP Civil Hospital
Nagaur as OPD patient vide OPD Regd.
No 21,993/08 from 5-4-08.

He was advised to take bed
rest for 90 (ninety) days wef 5-4-08

5/4/08
(Dr M. Bora)

Certified to be true copy

16/2/09
Advocate

ANNEXURE - IV

27

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-15-

To whom it may concern

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal
17 FEB 2009
गुवाहाटी न्यायपीठ Guwahati Bench

This is to certify that Shri Arun Kumar Bora, who was treated by me due to disc prolapse is now reviewed by me. He was further advised to continue same medication & continue rest for another period of 90 (ninety) days w.e.f. 4.7.08

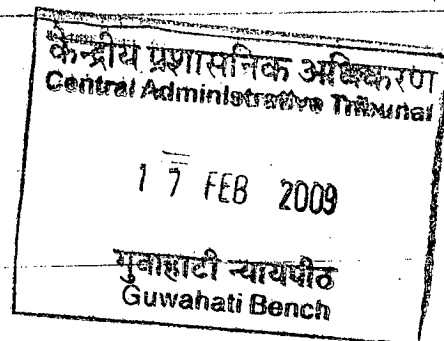
sd/-

(Dr. M. Bora)
4.7.08

Verified to be true copy

Dr. 16/21/08
[Signature]

- 16 -



To Whom it may concern

This is to certify that
Shri Arun Kumar Bora, who was
treated by me due to disc prolapse
is now relieved by me. He was
further advised to continue same medication
& continue rest for another period of
90 (ninety) days wef 04-7-08.

m Borz
4/7/08
(Dr M Borz.)

Certified to be true copy

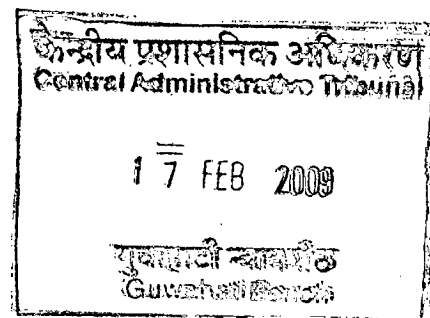
Advocate
16/2/09

ANNEXURE - V 29

Typed copy

-17-

To whom it may concern



This is to certify that Shri Arun Kumar Bora is reviewed by me on 03 / 10 / 08 keeping new on his present health status, he is further advised to take rest for 90 (ninety) days w.e.f. 4.10.08 to 01.01.2009.

sd/-

(Dr. M. Bora)
4.10.08

Copy to be sent to
16/2/09
Lance

केन्द्रीय प्रशासनिक अदालत Central Administrative Tribunal
17 FEB 2009
मुम्बई न्यायपीठ Mumbai Bench

-18-

To whom it may concern

This is to certify that
Shri Arun Kumar Bora, is reviewed
by me on 03/10/08. Keeping view on
his present health status, he is further
advised to take rest for 90 (ninety) days
wef 4.10.08 to 01.01.2009.

m Bor
4.10.08
(Dr M Bora)

Certified to be true copy

Advocate
16/12/08

ANNEXURE- [✓]

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

17 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

-19 - N.F. Railway.

Office order

Office of the
Divil.Rly.Manager (P)
Lumding , Dated: 09.4.08

In terms of GM(P)/MLG's office order No. E/Misc/Pt-II (T)/Optg Dtd: 28.3.08 Shri A.K.Bora, (UR) ASM/HBN in scale Rs. 5500-9000/- under Sr.DOM/LMG is hereby transferred in his existing pay and scale on administrative interest along with post and posted as ASM/Tinmile Halt under Sr.DOM/KIR with immediate effect.

He is entitled for CTG, Transfer grant joining time etc as per extent rule .

This has the approval of competent authority.

(A.C.Konwar)
APO/II/Lumding.
for Divil.Rly.Manager (P)
N.F.Railway. Lumding.

No- E/39-20-AsM/SM/Pt- IX (T) Lumding Dtd: 9.4.08

Copy forwarded for information and necessary action to:

- (1) GM(P)/MLG.
- (2) COM/MLG.
- (3) Sr.DOM/LMG. KIR
- (4) Sr.DFM/LMG, KIR
- (5) SS/HBN- .He is advised to spare Shri A.K.Bora, ASM/HBN immediately with the intimation to the undersigned while sparing Shri A.K.Bora, ASM/HBN , his recent pass port size photograph duly attested should be pasted in the spoaring letter.
- (6) DRM(P)/KIR.
- (7) SS/ Tinmile Halt
- (8) OS/ET Bill at Office.
- (9) Staff concerned-Thro Proper channel.
- (10) Copy for P/case.
- (11) E/BOS Section at Office.

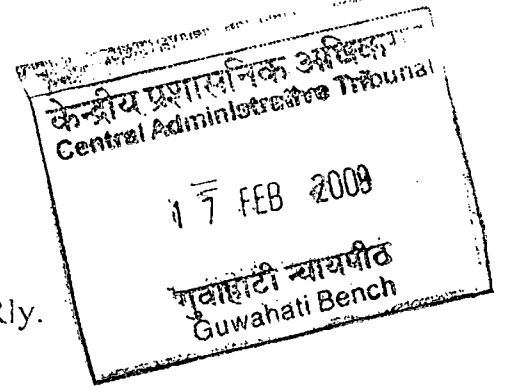
[Signature]
for Divil.Rly.Manager (P)
N.F.Railway. Lumding.

WWW@EQ-2007-08@LMG.Com

Certified to be true copy

[Signature]
Advocate

- 20 -



To

The Sr. Divisional Operations Manager,
Lunding, N.F. Rly.

Through : SS/HBN

14.04.08

Sub :- Prayer for stay of transfer order

Sir,

With due respect and humble submission I beg to lay before you the following few lines for favour of your kind consideration and sympathetic order please -

That Sir, I have been working at Haibargaon station as ASM/HBN with full satisfaction to myself and absolute devotion to my duties. Unfortunately an order has been released by you where I have been transferred and posted at TMH Station under KIR Division. The cause of transfer is not mentioned in the order. As far as my knowledge is concern I did not has any such heinous crime, so that there was no any alternative except to impose punishment like division transfer.

Sir, this is for your information that I have been suffering from Diabetes since 1997 and always under treatment of Doc's at Nagaon, Guwahati and Apollo Hospital, Chennai. Therefore my elder brother's wife is suffering from Cancer and now in the state of 'Coma'. The whole family solely depend upon me.

Moreover my son got admitted to a school this year nearby Haibargaon Station. If I would be transferred from this station this will affect severely in his studies.

Considering all this situations I request your honour to kindly consider my case sympathetically so that I can serve sincerely by remaining at this station for which act of your kindness I shall remain ever grateful to you

Yours sincerely

Arun Kr. Bora

(Arun Kr. Bora)
ASM/HBN

Certified to be true copy

Station Superintendent
Haibargaon, N.F. Rly

Advocate