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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT COURT SITTING AT BILASPUR

Original Application No. 407 of 2006

Bilaspur, this the 30th day of June, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mr. A.K. Gaur, Judicial Member

Pradeep Sharma, Aged about 41 years,
S/o. Late Shri Y.R. Sharma, SSE/TM,
SEC Railway, Bilaspur (CG).

... Applicant

(By Advocate - Shri H.V. Sharma)

V e r s u s

1. Union of India,
through General Manager,
SEC Railway, Bilaspur (CG).

2. Chief Personnel Officer,
SEC Railway, Bilaspur (CG).

3. Chief Engineer/TM,
SEC Railway, Bilaspur (CG).

4. P.K. Kashtry, Deputy CE/TM,
SEC Railway, Bilaspur (CG).

... Respondents

(By Advocate - Shri M.N. Banerjee)

O R D E R (Oral)

By A.K. Gaur, Judicial Member -

Heard the learned counsel for the parties.

2. It is alleged that the applicant has been transferred to Bhubaneswar. The learned counsel for the respondents Shri M.N. Banerjee has filed a reply and stated that it is not a ~~simple~~ ^{an} case of transfer as ~~the applicant has been~~ ^{an request for track machine operators} ~~called by~~ ^{was received from} the Chief Track Engineer (TM) of East Coast Railway, Bhubaneswar and on his request ~~he has been sent~~ ^{applicant is being} on temporary duty. We have seen ^{the} reply and we ~~are of the view~~ ^{also find} that the applicant has ~~filed~~ ^{submitted an} a representation dated 22.6.06 against the ~~alleged transfer~~ ^{an} order dated 16.6.2006 (Annexure A-1). This application ^{which has been filed without waiting for the outcome of this representation} appears to be wholly premature and the same is liable to be dismissed. However, we direct the competent authority to consider and decide the representation of the applicant dated 22.6.2006 by a reasoned and speaking order within a period of two weeks from the date of

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receipt of a copy of this order and the OA. We direct the applicant's counsel to obtain a copy of this order within three days and furnish the same to the competent authority who will decide the same in accordance with our observations made above.

3. Accordingly, the Original Application is dismissed.
No order as to costs.



(Signature)
(A.K. Gaur)
Judicial Member

(Signature)
(Dr. G.C. Srivastava)
Vice Chairman

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