

**CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH**

OA No. 143/05

Jabalpur, this the 9th day of February, 2005.

CO R A M

Hon'ble Mr.M.P.Singh, Vice Chairman
Hon'ble Mr.Madan Mohan, Judicial Member

B.Suryanarayan
S/o Late Shri B.Satyanarayan
Deputy Station Master (M.D.G.R.)
R/o ENC.Rly Colony
Qr.No.196/A, Post Mahendra Garh
Dist.Koria, Chhattisgarh.

Applicant

(By advocate Shri H.R.Bharti)

Versus

1. Union of India through
General Manager
SEC.Rly, New Delhi
2. Senior Divisional Operating
Manager, SEC Railway
Bilaspur.
3. Divisional Railway Manager
SEC Railway
Bilaspur.

Respondents.

(By advocate : None)

O R D E R (oral)

By M.P.Singh, Vice Chairman

By filing this OA, the applicant has claimed the following main reliefs:

- (i) Direct the respondents 2 & 3 to retain the applicant at Mahendragarh only instead of transferring him to Bijari since he has only 2 years to retire.



(ii) Quash the transfer of the applicant to Bijari declaring the same as discriminatory since may other similarly situated have been posted/retained at the same station.

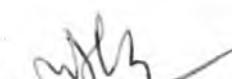
2. The brief facts of the case are that the applicant is working with the Railways as Deputy Station Manager at Bilaspur Division. As he has been promoted to the post of Station Manager in the pay scale of Rs.6500-10500, he has been transferred to Bijari in the same Division. Along with the applicant, 87 other Deputy Station Managers have been empanelled and promoted to the next higher grade of Station Manager in the pay scale of Rs.6500-10500 and have been transferred to various places. As per the policy of the Government, a person on promotion has to move out of the station wherever the post is available. Accordingly, the respondents have promoted 88 persons and have transferred them to various places where the posts in the grade of Rs.6500-10500 are available. The main grievance of the applicant is that the applicant has only 2 years to retire and, therefore, the respondents should try to accommodate him at the same station on promotion. As per the policy of the respondent Railways, they have passed an order dated 24.12.04.

3. We do not find any illegality in the order passed by the respondent Railways. However, the learned counsel for the applicant submits that he will be satisfied if the respondents are directed to consider the applicant's representation 5.1.2005 (Annexure A3) within a time frame.

4. Accordingly, we direct the respondents to consider and decide the representation of the applicant dated 5.1.2005 (Annexure A3) by passing a detailed, reasoned and speaking order within 4 weeks from the date of receipt of a copy of this order. The learned counsel for the applicant is directed to send a copy of this order as well as a copy of the representation to the respondents.



(Madan Mohan)
Judicial Member



(M.P.Singh)
Vice Chairman