

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 65 /2004

Jabalpur, this the 21st day of January, 2004.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. G. Shanthappa, Judicial Member

Shri R.K. Saxena
S/o Shri P.K. Saxena
aged about 40 yrs.,
(ADEN), Railway R/o
Railway Colony, Gwalior

APPLICANT

(By Advocate - Shri James Anthony)

VERSUS

1. The Union of India,
Through it's Secretary, Govt. of
India, Ministry of Railway,
Railway Board, New Delhi.
2. The Chief Personal Officer
North Central Railway,
Allahabad, U.P.

RESPONDENTS

(By Advocate - Shri M.N. Banerjee)

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA the applicant has sought a direction to the respondents not to transfer him on Central Railway and maintain his seniority in North-Central Railway.

2. The brief facts of the case are that on creation of new zones in the Railways, the respondents vide their letter dated 22.8.02 (Annexure-A-2) have called for option from Group-8 officers for their absorption in the new Railway zones by 23.9.02. The applicant vide letter dated 19.9.02 (Annexure-A-1) had given his option to ~~North~~ Central Railway, ^{at} Jabalpur. Later on, the applicant has changed his option vide his letter dated 09.01.03 (Annexure-A-3) addressed to Chief Personnel Officer

Central Railway Mumbai and has submitted ^{for} his option for absorption in North-Central Railway.

3. According to the applicant, the respondents vide their letter dated 24.9.03(Annexure-A-7) have transferred certain officers(who had opted for North Central Railway) to North Central Railway for permanent absorption. In the aforesaid order dated 24.9.03 it has also been mentioned that the other Group 'B' officers of Civil Engineering Department, if any, who have not opted for North Central Railway and are working within the jurisdiction of North Central Railway should be transferred back to their parent Railways immediately. According to the applicant his case is covered under this note. Although names of the persons to be transferred to Central Railway are not mentioned, since he is covered under the note below the order dated 24.9.03 he will also be required to be transferred to Central Railway, Mumbai.

4. Heard the learned counsel for the applicant and perused the record.


5. According to the applicant his option for maintaining his seniority in the North Central Railway is still pending, and he has also submitted a representation on 25.9.03(Annexure-A-6) for getting his name included in Group-B seniority list of North Central Railway, which is still pending for consideration with the respondents

6. As the respondents have not taken any decision on the representation of the applicant, in the circumstances we consider it appropriate to dispose of this OA by directing the respondents to decide the aforesaid representation of the applicant if not yet decided by passing a speaking, detailed and reasoned order within a period of 3 months from the date of receipt of copy of this order. We do so accordingly.

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7. The OA is disposed of with the above directions.

8. A copy of this order along with a copy of the OA be supplied to Shri M.N. Banerjee, learned Standing Counsel for the Railways, who is present in the Court, to facilitate timely compliance of the aforesaid order.


(G. Shanthappa)
Judicial Member

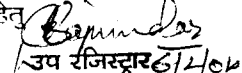

(M.P. Singh)
Vice Chairman

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि 6/2/04

पतिलिपि अर्पित:-

- (1) सचिव, उच्च न्यायालय एवं प्रोसेक्यूशन, जबलपुर
- (2) आवेक श्री/श्रीमती/शु. James Anthony Adv. के कारुसल
- (3) प्रत्यक्षी श्री/श्रीमती/शु. M.N.Banerjee के कारुसल
- (4) कांयपाल, के प्रशा, जबलपुर न्यायपीठ

SKM

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार 6/2/04

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