

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, INDORE

O.A.NO.716/97

This the 18th day of February, 03

Hon'ble Shri Justice N.N. Singh, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Shri Vinod Kumar Swarankar
S/o Shri Narayandas Swarankar
Depot Store Keeper Grade I
O/o the Divisional Control Stores
Western Railway, Ratlam

(By Advocate: Shri Brian De Silva)

..Applicant

Versus

1. The Union of India through the Secretary
Ministry of Railway, New Delhi
2. General Manager, Western Railway
Church Gate, Mumbai
3. Controller of Stores
Western Railway, Headquarters Office
Churchgate, Mumbai
4. Deputy Controller of Stores
Office PL, Mahalaxmi, Mumbai
5. Divisional Railway Manager (Estt.)
Western Railway Divisional Office
Ratlam
6. Shri R.S. Meena
DCOS, Western Railway
DRM's Office, Ratlam

(By Advocate: Shri Y.I. Mehta, Senior Advocate with Shri H.Y. Mehta)

..Respondents



ORDER (ORAL)

Shri Govindan S. Tampi:

The reliefs sought for by the applicant in this OA are issuance of directions holding that:

- i) the impugned order of the transfer is bad in law and cannot be sustained to,
- ii) the applicant was entitled to continue in Divisional Stores Organisation, Ratlam as per his willingness and his seniority is to be merged with Class III employees of the Depot Stores Organisation, Kota, and
- iii) cost of the application be awarded to the applicant; and
- iv) any other relief deemed fit and proper in the facts and circumstances of the case.

2. Shri Brian Da Silva, learned counsel for applicant brings to our notice that the orders transferring the applicant to Dohad has been cancelled and he has been posted as Depot Stores Keeper Grade -I at Ratlam on 13.1.1999. To this extent, the relief claimed by him has become infructuous. He further requests that direction may be issued to the respondents for dealing with his representation on the aspects of seniority, in accordance with law.

3. On consideration of the matter, we are disposing of this OA with a direction to the respondents to take action in terms of seniority fixed in



accordance with law within a period of three months from the date of receipt
of a copy of this order. No costs.

(Govindan S. Tampi)
Member (A)

/sunil/

(N.N. Singh)
Vice Chairman (J)

पूरांकन सं ओ/ज्या.....जवलपुर, दि.....

परिचितिपिशिला:-

(1) रायिव, जल जलपुर, जवलपुर

(2) आदेशन सं/ज्या, जवलपुर

(3) प्रकृति सं, जवलपुर

(4) जलपुर, जवलपुर

सूचना एवं आवश्यक कार्यवाही हेतु

उप अधिकारी

4/3/03

B C A S L A - A R C V
G I - m - b t a A d d e s

Issued
On 6-3-03