

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

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ORDER SHEET

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ORDERS OF THE TRIBUNAL

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23.7.2007

OA 251/2007 with MA 165/2007

Mr.Ashish Saxena, proxy counsel for  
Mr.S.K.Saxena, counsel for applicant.

Heard. The OA and the MA stand disposed of  
by a separate order.

  
(J.P.SHUKLA)  
MEMBER (A)

vk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR.

Jaipur, the 23rd day of July, 2007

**ORIGINAL APPLICATION NO.251/2007**

With  
**MISC.APPLICATION NO.165/2007**

CORAM :

HON'BLE MR.J.P.SHUKLA, ADMINISTRATIVE MEMBER

Vinod Kumar Bhatnagar  
S/o Shri Ram Kishan Bhatnagar,  
R/o 71-C, Gali No.30, Nayee Basti,  
Ram Ganj, Ajmer.

By Advocate : Shri Ashish Saksena, proxy counsel for  
Shri S.K.Saksena  
... Applicant

Versus

1. Union of India through  
THE Zonal Manager,  
North Western Railway,  
Jaipur.
2. Divisional Railway Manager (Estt),  
North Western Railway,  
DRM Office,  
Ajmer.
3. Sr.Section Engineer (Signal),  
North Western Railway,  
Ajmer Division,  
Ajmer.

By Advocate : - - -

... Respondents

**ORDER (ORAL)**

PER HON'BLE MR.J.P.SHUKLA

The learned counsel for the applicant submitted that the impugned transfer order was passed on 8.12.2005 (Ann.A/1) and the respondents vide relieving order dated 14.6.2007 (Ann.A/2) are trying to implement the order dated 8.12.2005 after a span

of 18 months, more so when the respondents themselves have kept the said transfer order in abeyance. He further submitted that the impugned transfer order is based on a false and unfounded complaint and without giving an opportunity of hearing to the applicant. He further submitted that the Railway Protection Force cannot recommend the transfer of any incumbent in any circumstances because the domain lies with the special Police or the Vigilance Organisation and, therefore, the order passed on the recommendations of the RPF is wrong, illegal and bad in the eyes of law. He also placed reliance on the cases of **Sree Prasanta Chaudhury v. Union of India and Ors.**, 2006 (1) SLR 253, and **Biman Kumar Roy v. S.Lakshminarayanan and Ors.**, 1978 (2) SLR 137.

2. After hearing the learned counsel for the applicant and perusal of the documents on record, it is observed that there is no merit in this case to interfere by this Tribunal and hence the present OA is dismissed at the stage of admission itself.

3. In view of the order passed in the OA, the MA 165/2007, for condonation of delay, also stands dismissed.

  
(J.P.SHUKLA)  
MEMBER (A)

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