

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 14th October, 2008

ORIGINAL APPLICATION NO. 407/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Nauratmal Kumawat son of Shri Jodhraj Kumawat, aged about 56 years, Sr. T.C. Ajmer Railway Station, Ajmer. Resident of G Block Near Guru Nanak School, Vaishali Nagar, Ajmer.

.....APPLICANT

(By Advocate: Mr. Subhash Bisawa Dadhich)

VERSUS

1. Union of India through the General Manager, North Western Railway, Ganpati Nagar, Jaipur.
2. The Divisional Rail Manager, North West Railway, Ajmer Division, Ajmer.
3. Sr. Divisional Commercial Officer, North Western Railway, Ajmer Division, Ajmer.
4. Shri Babu Lal Meena, DCM working at Jaipur DRM Office, Jaipur.

.....RESPONDENTS

(By Advocate:-----)

ORDER (ORAL)

The applicant has filed this OA against his impugned transfer order dated 01.10.2008 (Annexure A/1). The case of the applicant is that he is a handicapped employee and as such he was assigned table job. He has been transferred from Ajmer to Mavali despite medical advice. The applicant has also highlighted various grievances and alleged malafide against respondent No. 4. From the material placed on record, it is clear that applicant has also made representation dated

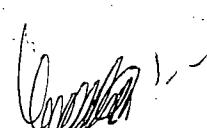
04.10.2008 (Annexure A/18) to the DRM, North West Railway, Ajmer Division, Ajmer (Respondent No. 2) thereby highlighting his grievances. The applicant has also pleaded that he is already 56 years of age and intends to settle at Ajmer after his retirement.

2. In view of what has been stated above, we are of the view that the matter can be disposed of at admission stage with a direction to respondent no. 2 to decide the representation of the applicant dated 04.10.2008 (Annexure A/18) by passing a reasoned and speaking order as according to law as laid down by the Apex Court in the case of Rajendra Roy vs. Union of India & Another, 1993 SC 1236, it is for the administrative authority to look into the grievance of the applicant rather than taking cognizance by the Court.

3. Thus for the foregoing reasons, Respondent no. 2 is directed to decide the representation of the applicant dated 04.10.2008 (Annexure A/18) by passing a reasoned & speaking order thereby dealing all the contentions raised by the applicant. Till such representation is not decided, the respondents are directed to maintain status quo qua the applicant qua his transfer vide impugned order dated 01.10.2008 (Annexure A/1). The applicant is also directed to forward the copy of this order to Respondent No. 2 for his information.

4. With these observations, the OA is disposed of with no order as to costs.


 (B.L. KHATRI)
 MEMBER (A)


 (M.L. CHAUHAN)
 MEMBER (J)

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