

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 24th day of September, 2010

ORIGINAL APPLICATION NO. 186/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Babu Lal Tiwari son of Shri Chhaju Ram, aged about 50 years, Beldar, Office of Senior Section Engineer (Works) II, Bandikui, District Dausa. Resident of Tiwari Mohalla, Baswa Road, Near Delhi Road, Bandikui, District Dausa (Rajasthan).

.....Applicant

(By Advocate: Mr. P.V. Calla)

VERSUS

1. Union of India through the General Manager, North Western Railway, Headquarter Office, Opposite Railway Hospital, Jaipur.
2. The Divisional Railway Manager, Jaipur Division, Power House Road, Jaipur.
3. Senior Divisional Engineer (Estt.), Office of Divisional Railway Manager, Power House Road, Jaipur.
4. Shri Chhote Lal, Inspector of Works II (Section Engineer (W) II), Bandkui, District Dausa, Jaipur Division.

.....Respondents

(By Advocate: Mr. T.P. Sharma)

ORDER (ORAL)

Heard learned counsel for the parties.

2. Pursuant to the orders dated 29.07.2010 & 17.08.2010, the respondents have filed an Additional Affidavit whereby respondents in Para No. 6 have stated that there is no post of Beldar lying vacant at Alwar. It is further stated that the request of the applicant for his posting at Jaipur shall be considered by the authority after such a request/representation is received from him. This Additional Affidavit is taken on record.

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3. In view of the submission made by the respondent in Para No. 6 of the Additional Affidavit and the fact that the applicant is a low paid employee and has to attend inquiry proceedings at Bandikui, the respondents shall consider the request of the applicant for his posting at Jaipur sympathetically. Accordingly, the applicant shall make an application for his posting at Jaipur to Respondent no. 3 within a period of two days from today and in that eventuality, respondent no. 3 shall pass appropriate order expeditiously and not later than within a period of 20 days from today.

4. With these observations, the OA is disposed of with no order as to costs. It is made clear that the question whether the impugned order of transfer was passed mala fide ~~or~~ in the instance of respondent no. 4 is not required to be gone into.


(M.L. CHAUHAN)
MEMBER (J)

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