

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 30th day of **October**, 2018

Present :

**Hon'ble Mr. Gokul Chandra Pati, Member-A
Hon'ble Mr. Rakesh Sagar Jain, Member-J**

Original Application No.330/00074/2018

Arvind Kumar Saini, Aged about 25 years, S/o Late Keshav Chandra Saini, R/o Quarter No.T/10B, Railway Colony, Kasganj. Presently posted as Gateman at railway station, Sonai (Mathura).

.....Applicant.

By Advocate – Shri Anil Kumar Singh

V E R S U S

1. Union of India, through the Secretary, Ministry of Railway, New Delhi.
2. General Manager, North East Railway, Gorakhpur.
3. The Divisional Railway Manager, North East Railway, Izzatnagar.
4. Station Superintendent, Station, Sonai (Mathura).
5. Dileep Kumar Verma, Divisional Operating Manager (General), North East Railway, Izzatnagar.

.....Respondents.

By Advocate : Shri Amit Kumar Rai

ORDERBy Hon'ble Mr. Gokul Chandra Pati, Member-A :

Learned counsel for the applicant submitted that the applicant proceeded to the place of transfer i.e. to Shahjahanpur in pursuance of the transfer order dated 11.05.2017, after receiving the copy of the order dated 05.09.2018 passed by this Tribunal and then the respondents have provided a copy of the transfer order to the applicant on 10.09.2018. Learned counsel for the applicant also submitted that when the applicant went to join at Shahjahanpur, he found nobody there, due to which he could not submit his joining report. He further submitted that the Station was closed although conversion to broad gauge line was going on.

2. Learned counsel for the respondents, on the other hand, submitted that the applicant has failed to join in Shahjahanpur in compliance of the transfer order.

3. In view of the submissions of the learned counsels for the parties, since the applicant has accepted the transfer order dated 11.05.2017, no useful purpose will be served to keep this OA pending at this stage. Accordingly, the OA is disposed of with direction to the respondents to ensure joining of the applicant at the appropriate place of his duty. For this

purpose, the applicant is directed to report before Respondent No.3, who is superior to Station Superintendent Shahjahanpur, with a detailed representation mentioning the reasons for not joining at Shahjahanpur. If the applicant reports before Respondent No.3 within 10 days from receipt of the copy of this order along with representation as stated above, then the Respondent No.3 shall pass necessary order regarding the name of the officer and his official designation, to whom the applicant shall report for duty. The respondent No.3 shall issue such order in writing and he can modify the applicant's place of posting, if he deems it appropriate, after obtaining approval of the competent authority. Copy of the said order shall be communicated to the applicant preferably on the day on which the applicant reports to the Respondent No.3 in pursuance of this order.

4. It is made clear that till compliance of the above directions and issue of order by Respondent No.3 as stated above, the interim order granted to the applicant shall continue.

5. The OA is disposed of accordingly. No order as to costs.

Member-J

Member-A

RKM/