

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

OA 3687/2015

this the 8th day of October, 2015

Hon'ble Mr. V.Ajay Kumar, Member (J)

Shri M.S.Sunil
S/o M.Subramaniam
Currently posted as
Sr. DSC/RPF, Delhi Division
Panchkuian Road
New Delhi
(By Advocate: Shri Sujit K.Singh) Applicant

VERSUS

1. Ministry of Railway through
Member Staff
Railway Board
Rail Bhawan
Raisina Road
New Delhi
2. Director General
Railway Protection Force
Railway Board
Rail Bhawan
Raisina Road
New Delhi
3. General Manager
Northern Railways
Baroda House
New Delhi
4. Shashi Kumar
Currently posted as
Sr. DSC/RPF
Hyderabad Division
Hyderabad
Telangana Respondents.

ORDER (ORAL)

By Hon'ble Mr.V.Ajay Kumar,

Heard the learned counsel for the applicant.

2. The present application has been filed against the impugned Annexure A/1 transfer order dated 01.10.2015 in transferring the applicant from Delhi to Hyderabad on administrative grounds.

3. The learned counsel for the applicant submits that the applicant joined at Delhi in February, 2013 and that he has not completed the minimum tenure of 3 years as envisaged in letter dated 18.09.2014 at Annexure A-2. He has further submitted that just to accommodate the fourth respondent who is presently working at Hyderabad, the applicant is sought to be transferred to Hyderabad from Delhi. The learned counsel further submits that the transfer is in the middle of the academic year and applicant's children are studying in class 3rd & 6th and his mother in law is admitted for treatment in the hospital. Since the order was passed on 01.10.2015 and in view of the holidays in between he could not make representation against the transfer order. The learned counsel for the applicant submits that the applicant's prayer to stay the transfer order may be considered sympathetically as his transfer to Hyderabad is bound to affect adversely the studies of his children as well as the professional course his wife is pursuing and the illness of his aged mother-in-law, who is dependent on him. The applicant also submits that he is not yet been relieved from the present place of posting.

4. In the circumstances, the OA is disposed of, without going into the merits of the case, by permitting the applicant to make an appropriate representation to the respondents against the impugned transfer order within three days from today and on receipt of the same, the respondents shall consider the same and pass appropriate reasoned and speaking order

thereon within two weeks therefrom, in accordance with law. Till then the respondents shall maintain status quo.

No costs.

Order by **DASTI.**

(V.Ajay Kumar)
Member (J)

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