

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 3848/2017

New Delhi, this the 3rd day of November, 2017

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

C.S. Kataria, Aged 52 years,
S/o Late Shri Harphool,
Working as Dy. Station Supdt.
in Northern Railway, Delhi Division,
Presently posted at Railway Station,
Tilak Bridge,
R/o 39, CDEF, Badi Mor Sarai,
Railway Colony, Near Kodaipul,
Delhi-6.

.. Applicant

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road,
New Delhi.
3. The Divisional Personal Officer,
Northern Railway, Delhi Division,
State Entry Road,
New Delhi.
4. The Divisional Operating Manager,
Northern Railway, Delhi Division,
State Entry Road,
New Delhi.

.. Respondents

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard the learned counsel for the applicant.

2. The applicant, who is presently working as Deputy Station Superintendent at Tilak Bridge Railway Station, New Delhi, filed the O.A. questioning the Annexure A/1, Transfer Order dated 01/07.06.2017, in transferring him to Khekra, Distt. Baghpat (UP).

3. Learned counsel for the applicant submits that the applicant is suffering from various chronic medical problems and has been taking treatment in Escorts Hospital and other hospitals in Delhi and, in fact, he made representations, before issuance of the impugned Transfer Order, requesting the respondents to allot him light duties in view of his health conditions. The respondents, instead of considering the applicant's request and to post him in a light duty vacancy in Delhi, transferred him to a place where no medical facilities are available to him. Even after issuance of the impugned Transfer Order, the applicant made Annexure A/2 (Colly.) representations requesting the respondents to post him at any place in Delhi, that too in a post carrying lighter duties. The respondents, without considering the said representations, are compelling the applicant to join at the new place of posting.

4. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by directing the respondents to consider Annexure A/2 (Colly.) representations of the applicant and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within four weeks from the date of receipt of a copy of this order. Till then, the respondents shall maintain *status quo* qua the applicant. No order as to costs.

Let a copy of this O.A. be enclosed to this order.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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