

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00759/2018

Friday, this the 14th day of September, 2018

CORAM:

Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member

R.Krishnakumar, S/o.Ramu aged 46 years
'Shyam Kripa', Nethaji Nagar
Olavakkode, Palakkad(formerly working as Senior
Section Engineer,Tracks and Power Control
Southern Railway, Olavakkode, Palakkad;
now working as Senior Section Engineer,TRD
(tracks and distribution) Southern Railway, Mangalore
(Railway Division, Palakkad)

Applicant

(By Advocate – Mr.Jacob Sebastian)

V e r s u s

1. Southern Railway, represented by
Chief Personnel Officer
Southern Railway, Chennai
Pin – 600 001
2. Senior Divisional Personnel Officer
Divisional Office, Southern Railway
Kallekulangara, Palakkad
Pin – 678 009
3. Chief Personnel Officer
Integral Coach Factory
Southern Railway, Chennai,
Pin – 600 038
4. Chief Divisional Electrical Engineer
Tracks and Distribution
Southern Railway
Kallekulangara, Palakkad
Pin – 678 009

Respondents

(By Advocate –Mr.Sunil Jacob Jose)

This Original Application having been heard on 14.9.2018, the Tribunal on the same day delivered the following:

ORDER (ORAL)

Per: Mr.E.K.Bharat Bhushan, Administrative Member -

Applicant is aggrieved by the failure of the respondents to consider his request for transfer to Chennai, stating that he is involved in a criminal case. The learned counsel on behalf of the applicant submits that pendency of criminal proceedings is not a bar to consider the request for transfer. Annexure Nos.A-1 & A-2 are copies of the applications for transfer which have already been submitted and not yet answered.

2. This Tribunal is of the view that this Original Application can be disposed of with a direction to respondent nos.1-3 to consider the requests that the applicant has made through documents at Annexures A-1 and A-2 and take a final decision within three months from the date of receipt of a copy of this order and communicate the same to the applicant. Ordered accordingly. Applicant is also directed to produce any further document which may be called for by the respondents while considering his application for transfer. We are not expressing any view with regard to the merits of the case. Both parties represented by their counsel agree for this solution.

3. The Original Application is disposed of as above. No costs.

(E.K.Bharat Bhushan)
Administrative Member

List of Annexures

Annexure A-1 - The application for transfer submitted by the applicant for transfer to Southern Railway, Chennai

Annexure A-2 - The application for mutual transfer submitted by the applicant along with Mr.Sandeep

Annexure A-3 - A true copy of the complaint dated January 3, 2018 submitted by the applicant before the Inspector of Police, RPF, Palakkad

Annexure A-4 - A true copy of the statement of K.Shruthy

Annexure A-5 - A true copy of the statement of E.Ranjima

Annexure A-6 - A true copy of the FIR in crime number 131/2018 of the Palakkad town North Police Station with English translation.

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