

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00846/2018

Jabalpur, this Tuesday, the 11th day of September, 2018

HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Virendra Kumar Goswami, S/o Shri Vishwanath Goswami,
aged about 45 years, working as CCI/SECR, R/o F/41, Alka
Avenue Colony, Bilaspur, Chhattisgarh 495004, 07415890425
-Applicant

(By Advocate – Shri A.V. Shridhar)

V e r s u s

1. Union of India through General Manager, South East Central
Railway, Bilaspur (C.G.) 495004.

2. Chief Personnel Officer, South East Central Railway,
Bilaspur (C.G.) 495004.

3. Divisional Railway Manager, South East Central Railway,
Bilaspur (C.G.) 495004.

4. Sr. Divisional Commercial Manager, South East Central
Railway, Bilaspur (C.G.) 495004
-Respondents

(By Advocate – Shri A.S. Raizada)

O R D E R (O R A L)

By Navin Tandon, AM.

The applicant is working as Chief Commercial Inspector
with the respondent department. He is aggrieved by his transfer
from Pendra to Umariya vide Office Order dated 14.08.2018
(Annexure A-1).

2. The applicant submits that he has given his appeal against the transfer order to respondent No.3 vide application dated 14.08.2018 followed by reminder dated 04.09.2018 (collectively Annexure A-3). In the Original Application, the applicant has alleged malafide behind the transfer.

3. The applicant has prayed for the following relief in this O.A:

“8. Relief Sought

In view of the above referred facts and grounds the applicant prays for the following relief’s:

- 8.1 That the learned Tribunal may kindly be pleased to quash the office order No. DPB/1036/2018 dated 14.08.2018 (Annexure A/1) in respect of the applicant.
- 8.2 Cost of the petition be awarded to the applicant.
- 8.3 Any other relief which the learned Tribunal deems fit and proper may be awarded.”

4. The applicant has also prayed for interim relief of staying the impugned order (Annexure A-1).

5. Learned counsel for the respondents vehemently opposes grant of any interim relief as the Original Application does not spell out or demonstrate malafide action on the part of the respondents.

6. At this stage, learned counsel for the applicant submits that applicant will be satisfied if the respondents are directed to consider and decide the applicant's representation dated 14.08.2018 followed by reminder dated 04.09.2018 (collectively Annexure A-3) and till the time representation is decided, the applicant may not be relieved from Pendra.

7. Considering the above and without going into the merits of the case, we dispose of this Original Application at the admission stage itself with a direction to the competent authority to consider and decide the applicant's representation/reminder (Annexure A-3 collectively) and communicate the same to the applicant. Till such time, the representation is decided, the applicant may not be relieved, if not already relieved from the present place of posting.

8. Learned counsel for the applicant ensures that the certified copy of this order along with copy of the O.A would be served within the next two days to the respondent department.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-