Central Administrative Tribunal
Madras Bench

OA 310/01013/2018

Dated Tuesday the 31st day of July Two Thousand Eighteen

P R E S E N T

Hon'ble Shri. R.Ramanujam, Member(A)
&
Hon'ble Shri. P. Madhavan, Member (J)

Bijay Bhushan Pandey
Station Supdt.,
Vridhachalam R.S., TPJ Division
Southern Railway. .. Applicant

By Advocate **M/s. Ratio Legis**

Vs.

1. Union of India rep. by
   The General Manager
   Southern Railway
   Park Town, Chennai.

2. The General Manager
   East Central Railway
   Hajipur R.S.
   Vaishali District
   Bihar 844 101.

3. The Sr. Divisional Personnel Officer
   Tiruchchirappalli Division, Southern Railway
   Trichy. .. Respondents

By Advocate **Mr. P. Srinivasan**

ORAL ORDER

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

Heard. The applicant has filed this OA seeking the following relief:-

> "To call for the records related to the request made by the applicant for transfer registered on 12.04.2011 and consent was given on 27.12.2016 by the respondents and to direct the respondents to relieve the applicant forthwith and to issue necessary relief memo to enable the applicant to carry out transfer to Ranchi Division in South East Central Railway and to order further order/orders"

2. It is submitted that the applicant joined Railway services in the year 2008 in Trichy division and sought transfer to Mughalsarai Division in the year 2011. His request was registered and forwarded to the latter on 09.06.2016. Though Mughalsarai Division accepted the same on 27.12.2016, the first respondent has not relieved him. On account of the delay, the applicant is losing seniority in the other division as persons transferred on request are only granted bottom seniority, and in the meantime others would go above the applicant. Accordingly it is prayed that the respondent be directed to relieve the applicant.

3. Mr. P. Srinivasan takes notice for the respondents and submits that there has been some delay in relieving persons who have been accepted for request transfer on account of large number of vacancies in the first respondent establishment and such persons are being relieved in the order of their date of registration and acceptance thereof. There is no selective discrimination against the applicant.

4. In view of the submissions, we do not see any scope for interference by this Tribunal at this stage except to state that such request transfers should be given effect to without avoidable delay. It is seen that the applicant had made a representation dated Nil at Annexure A3 and the matter is still pending with the first respondent. Accordingly we are of the view that the ends of justice would be met in this case, if the first respondent is directed to pass a speaking order thereon within a period of two weeks from the date of receipt of copy of the order.

5. OA is disposed of at the admission stage.

(P. Madhavan)
Member (J)

31.07.2018

(R.Ramanujam)
Member(A)

AS