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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, CALCUTTA**

O. A. No.350/00 698 of 2018

In the matter of:

SUMIT DUTTA, Son of Late Santi
Ranjan Dutta, aged about 54 years,
working as a Chief Ticket
Inspector/CTI/II/NJP, under Senior
DCM/KIR at NJP, Katihar Division, N.F.
Railway, residing at Shanti Bhawan,
Milanpally, Samaresh Bose Sarani, Post
Office & Police Station - Siliguri, District
- Jalpaiguri, Pin - 734005.

... APPLICANT

VERSUS

1. **UNION OF INDIA**, through the
General Manager, N.F. Railway,
Maligoan, Guwahati, Assam, Pin-
780011.
2. **THE CHIEF COMMERCIAL
MANAGER**, N.F. Railway, Maligoan,
Guwahati, Assam, Pin-780011.

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3. **THE DIVISIONAL RAILWAY**

MANAGER, North East Frontier
Railway, Katihar Division, Bihar,
Pin-854105.

4. **THE DIVISIONAL RAILWAY**

MANAGER (P), North East Frontier
Railway, Katihar Division, Bihar,
Pin-854105.

5. **THE SENIOR DIVISIONAL**

COMMERCIAL MANAGER, Katihar
Division, N.F. Railway, Bihar, Pin-
854105.

6. **ASSISTANT PERSONNEL**

OFFICER/III, North East Frontier
Railway, Katihar Division, N.F.
Railway, Bihar, Pin-854105.

... **RESPONDENTS**



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No.O.A.350/698/2018

Date of order : 24.05.2018

Coram : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the applicant : Mr. B. Chatterjee, counsel

For the respondents : None

ORDER (ORAL)

A.K. Patnaik, Judicial Member

This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 challenging the impugned order dated 02.01.2018(Annexure A/1) whereby he has been transferred from CTI/II/NJP to Jogbani station in Katihar Division, Bihar on administrative ground.

2. In the O.A. the applicant has prayed for the following reliefs:-

"8.(a) An order do issue quashing/ getting aside the impugned Transfer Order No.EG/491/CTI-II/Promotion(T)/Pt. II dated 02.01.2018 issued by APO/III for Divisional Railway Manager(P), Katihar Division of N.F. Railway being Annexure "A-2";

(b) An order do issue quashing and/ or set aside release order if any is/ be issued by the respondent authority against your Application;

(c) Any orders do issue directing the official respondent authority to allow your Applicant to continue in his duty at NJP, under Katihar Division of N.F. Railway as a Chief Ticket Inspector/ CTI/II/NJP, with immediate effect alongwith all consequential benefits;

(d) An order directing the official respondents to produce the file/ noting in connection with the transfer of the Applicant and all other relevant documents with an inspection to the Learned Counsel for the Applicant;

(e) Any other or further order or orders or direction as to Your Lordships may deem fit and proper."



3. Heard Mr. B. Chatterjee, Id. counsel for the applicant. None appears for the official respondents.

4. Mr. B. Chatterjee, Id. counsel for the applicant submitted that the applicant was put under suspension on 02.01.2018 surreptitiously and on the same date he has been transferred from New Jalpaiguri to Jogbani station in Bihar by the respondent authorities. It is further submitted by Mr. Chatterjee that the applicant preferred a representation to the respondent authorities on 06.01.2018 against the said transfer order followed by representations/reminders dated 24.04.2018 and 30.04.2018(Annexure A/3 collectively), but has not received any response from the authorities concerned till date. Mr. Chatterjee submitted that the applicant would be satisfied for the present if a direction is given to the Respondent No.2 or Respondent No.4 or any other competent authority to consider and dispose of the representation/representations of the applicant keeping in view the Railway Board's circular dated 10.06.2014(Annexure A/4) and other relevant rules/guidelines in force, within a specific time frame.

Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties if such prayer of the Id. counsel for the applicant is allowed.

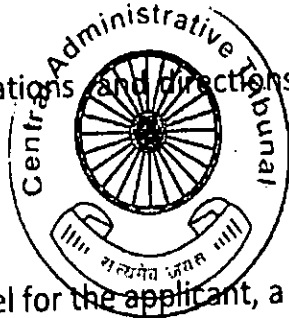
5. Accordingly the Respondent No. 2 or 4 or any other competent authority is directed to consider and dispose of the representations of the applicant dated 06.01.2018 followed by representations/reminders dated 24.04.2018 and 30.04.2018(Annexure A/3 collectively) keeping in mind the Railway Board's circular dated 10.06.2014(Annexure A/4) and other relevant rules/guidelines governing the field and communicate the decision to the applicant by way of a

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well reasoned order within a period of six weeks from the date of receipt of a copy of this order. Till such consideration of the representations, status quo as on date, so far as continuance of the applicant at the present place of his posting is concerned, shall be maintained. After such consideration, if the applicant is found entitled to the benefits as claimed in the representation/representations, the respondent authorities shall grant such benefits to him within a further period of six weeks from the date of taking decision in the matter.

6. It is made clear that I have not gone into the merits of the case and all the points raised in the representation/representations are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.

7. With the above observations and directions, the O.A. is disposed of. No order as to cost.



8. As prayed by Id. counsel for the applicant, a copy of the paper book may be transmitted to the Respondent No.2 and 4 for which Id. counsel for the applicant will deposit the cost within one week.

(A.K. Patnaik)
Judicial Member

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