

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA 350/00800/2016

Date of order : 23.8.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member

SUDHIR MONDAL

VS

UNION OF INDIA & ORS.

For the applicant : Mr.N.Roy, counsel

For the respondents : Mr.A.K.Guha, counsel

O R D E R (ORAL)

This matter is taken up in the Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of both sides.

2. Ld. Counsels for the parties were heard and materials on record were perused.

3. The applicant is aggrieved as despite his representation seeking transfer from Bainchi to Howrah Station the authorities have turned a deaf ear to the prayer.

4. The applicant had preferred OA 916/15 which was disposed of on 14.10.15 with a direction upon the Sr. Divisional Commercial Manager, respondent No.4 or any other competent authority to consider his prayer in accordance with law and to pass a reasoned and speaking order within three months thereafter.

Pursuant thereto an order has been passed by Sr. Divisional Commercial Manager, Eastern Railway, Howrah Division on 4.2.16 impugned in the present OA which says that as per priority of the applications for transfer of Supervisory Staff at Howrah Division, the applicant has been placed at present at Priority No. 07 and his case will be duly considered after the applications of the preceding six are dealt with.

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5. Ld. Counsel for the respondents upon instruction with supporting documents dated 29.6.16 from Asstt. Commercial Manager, Eastern Railway, Howrah, submitted at the Bar that the position of the applicant at present is 3rd in terms of the priority for transfer to Howrah Division and for transfer as and when vacancy would arise.
6. Joining issue ld. Counsel for the applicant submitted that vacancies are already lying in the Howrah Division.
7. Be that as it may, if the applicant feels that the vacancies are available for his posting out from Bainchi to Howrah, he shall make a suitable representation within 15 days.
8. The respondents shall duly consider the same in accordance with law and the assurance given at the Bar and pass appropriate order within 06 (six) weeks thereafter.
9. It is made clear that I have not gone into the merits of the case and all points are kept open for consideration by the respondents.
10. The OA is accordingly disposed of. No order is passed as to costs.

(BIDISHA BANERJEE)
MEMBER (J)

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