

LIBRARY

1

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 350/1347/2018

Date of Order: 10.09.2018

Present:

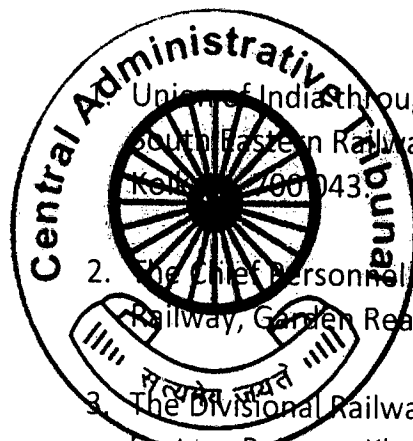
Hon'ble Ms. Bidisha Banerjee, Judicial Member

Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Rabindra Nath Bera, son of late Panchkori Bera, aged about 58 years, working as Travelling Ticket Inspector (in short TTI), Howrah1, residing at Vill. Basukati, P.O. Anandanagar, P.S. Nischinda, District- Howrah, Pin 711 227.

.....Applicant

-versus-



1. Union of India through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata - 700 043.

2. The Chief Personnel Officer, South Eastern Railway, Garden Reach Road, Kolkata- 700 043.

3. The Divisional Railway Manager (P), South Eastern Railway, Kharagpur Division, Kharagpur, Dist- Paschim Medinipore, Pin- 721 301.

4. The Senior Divisional Commercial Manager, South Eastern Railway, Kharagpur Division, Kharagpur, Dist.- Paschim Medinipore, Pin 721 301.

.....Respondents.

For the Applicant

: Mr. S.K. Dutta, Counsel

For the Respondents

: None

hnh

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard Id. counsel for the applicant. None for the respondents.

Affidavit of service is placed on record.

2. The instant application has been filed by the applicant seeking the following relief:

"8(a) An order directing the respondents to rescind/recall the transfer order of the applicant to Kharagpur and further directing them to consider his posting as per his request made in the representation or at any place within 50-60 kms. from Howrah.

(b) An order directing the respondents to withdraw the release order of the applicant in respect of his posting to Kharagpur, if any, already issued.

(c) An order directing the respondents to produce/cause production of all relevant records.

(d) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

3. Ld. Counsel for applicant submits that vide transfer order dated 04.07.2018 (Annexure A-1 to the OA) the applicant has been transferred on the basis of rotation against overall vacancy and that thereafter the applicant preferred an appeal on 16.07.2018 (Annexure A-2 to the OA) in which he had prayed for transfer to Howrah (South) or to any station near Howrah.

Ld. Counsel for applicant also contends that other similarly situated individuals have, however, been accommodated in their preferred places of posting.

Learned counsel for the applicant further submits that the interest of the applicant will be served if a direction is issued to the respondent authority to dispose of the representation of the applicant in a time bound manner.

Amh

4. Hence, without entering into the merits of this case, we hereby direct the Senior Divisional Commercial Manager, South Eastern Railway, Kharagpur Division who is the respondent no. 4 to dispose of the said representation of the applicant, if received at his end, within a period of 4 weeks from the date of receipt of a copy of this order and until such representation is disposed of, the applicant, if not released earlier, will not be released by the respondent authorities.

5. With these observations and directions, the OA is disposed of. There will be no orders as to costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

pd

