



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

No.O.A. 350/1476/2017

Date of order :08.11.2017

Coram : Hon'ble Ms. Manjula Das, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Pulak Kumar Moitra, son of Late K. Moitra,
aged about 50 years, by occupation Railway
Employee, residing at premises No.1/2/2, B.
Garden Lane, Flat No.06, P.O. & P.S. B. Garden,
Howrah-711103

.....Applicant

- Versus-

1. Union of India, through the
General Manager, South Eastern Railway,
having his office at Garden Reach,
Kolkata-700043;
2. The Chief Commercial Manager(CCM),
South Eastern Railway, having his office
at 14, Strand Road, Kolkata-700001;
3. The Chief Personnel Officer(CPO),
South Eastern Railway, having his office
At Garden Reach, Kolkata-700043;
4. The Divisional Railway Manager(DRM),
Kharagpur, South Eastern Railway, having
his office at Kharagpur, West Midnapore,
Pin – 721301;
5. The Additional Divisional Railway Manager(ADRM),
Kharagpur, South Eastern Railway, having his office
at Kharagpur, West Midnapore, Pin-721301;
6. Sr. Divisional Commercial Manager(SR. DCM),
South Eastern Railway, having his office at
Kharagpur, West Midnapore, Pin-721301;
7. Sr. Divisional Personnel Officer, (Sr. DPO),
South Eastern Railway, having his office at
Kharagpur, West Midnapore, Pin-721301;

8. Area Manager(ARM), Shalimar,
South Eastern Railway, having his office
at Shalimar, Shibpur, Howrah-711102

..... Respondents

For the applicant : Mr.B. Bhushan , counsel

For the respondents : Ms. Gargi Roy, counsel

ORDER (ORAL)

Ms. Manjula Das, Judicial Member

The instant O.A. has been filed by the applicant under Section 19 of the Central Administrative Tribunals Act, 1985 seeking the following reliefs:-

"A) Do issue mandate upon the Respondents, their men and agent and each of them to forthwith rescind, recall and/or withdraw the purported transfer order dated 4th October, 2017 issued by the office of DRM(P) being annexure "A-4";

B) Do issue mandate upon the Respondents their men and agent and each of them to forthwith rescind, recall and/or withdraw the purported posting order dated 10th October, 2017 issued by the office of Respondent No.7 being annexure "A-4";

C) Issue direction upon the Respondents to allow the applicant to perform the assigned work at present place of posting;

D) Issue direction upon the Respondents, their men and agent and each of them to forthwith certify and transmit all the papers and documents in connection with the instant application before this Hon'ble Tribunal for kind perusal and on such perusal do conscionable justice to the applicant;

E) To pass further and other order/orders as this Hon'ble Tribunal may deem fit and proper;

F) Costs including full Advocate's fee be borne by the Respondents."



2. We have heard Id. counsel for both sides and perused the materials placed on record.

3. The respondents have not yet filed any reply.

4. The Id. counsel for the applicant submits that the applicant has filed a representation against his transfer order on 12.10.2017(Annexure A-5) which has not been considered by the respondent authorities. He further submits that he would be satisfied if a direction is given to the authority concerned to decide the representation of the applicant dated 12.10.2017(Annexure A-5) as per rules within a stipulated period. Id. counsel for the respondents has no objection to such prayer.

5. In view of the above, the Respondent authorities are directed to consider and dispose of the representation of the applicant dated 12.10.2017(Annexure A-5) as per rules and pass a reasoned and speaking order within a period of one month from the date of receipt of this order. The decision so arrived at will be communicated to the applicant forthwith. Till disposal of the representation the applicant shall not be disturbed from his present place of posting.

6. It is made clear that we have not gone into the merits of the case and all the points raised in the representation are kept open for consideration by the respondent authorities.

7. With the aforesaid observations and directions, the O.A. stands disposed of. No order as to costs.


(JAYA DAS GUPTA)
Administrative Member


(MANJULA DAS)
Judicial Member