

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH**

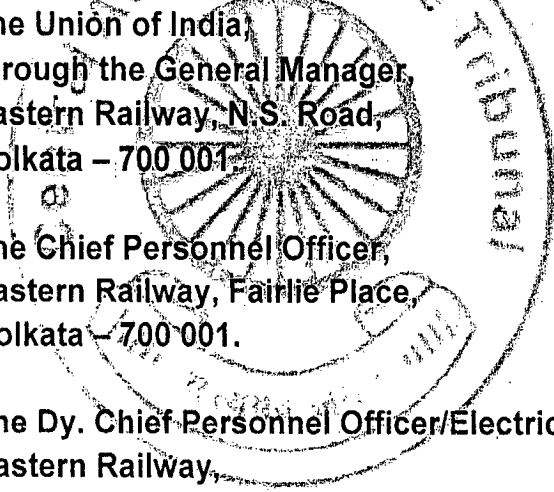
No. O.A. 350/00463/2018

Date of order: 20.4.2018

Present: Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Chandan Prasad Gupta,  
Son of Sri Ramprosad Shaw,  
By faith – Hindu,  
By occupation – Working as  
Technician Grade – III (Welder) under  
Eastern Railway, Dankuni Workshop,  
Under Dy. CME, E. Rly, and  
Residing at Nardih, P.O. – Jamui,  
P.S. – Jamui, Dist. – Jamui,  
Pin – 811 306.

.. Applicant

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1. The Union of India,  
Through the General Manager,  
Eastern Railway, N.S. Road,  
Kolkata – 700 001.
  2. The Chief Personnel Officer,  
Eastern Railway, Fairlie Place,  
Kolkata – 700 001.
  3. The Dy. Chief Personnel Officer/Electric,  
Eastern Railway,  
Kolkata.
  4. The Dy. Chief Mechanical Engineer,  
Eastern Railway, Dankuni Workshop,  
Dankuni, Hooghly.

.. Respondents

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. A.K. Banerjee, Counsel

**ORDER (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

Ld. Counsel for the applicant and respondents are both present and heard.

2. The instant Original Application has been filed under Section 19 of the AT Act, 1985 seeking the following relief:-

- “(a) To issue direction upon the respondents to consider representation dated 6.6.2017 for transfer forthwith.
- (b) To issue further direction upon the respondents according to guideline dated 10.12.2017, applicant's case for transfer may be considered his native place for inter transfer at Danapur Division, East Central Railway.
- (c) To issue further direction upon the respondents to consider the applicant's case for inter transfer at Danapur Division, East Central Railway forthwith.
- (d) Any other order or further order or orders as deem fit and proper under the circumstances of the case.
- (e) To produce connected Departmental Record at the time of hearing.”

3. Ld. Counsel for the applicant submits that, as annexed as “Annexure A-6” to the O.A., a representation dated 30.3.2017 has been submitted to the Chief Personnel Officer, Eastern Railway in which the applicant has prayed for issue of suitable order of transfer to MEMU SHED JHAJHA/Division-Danapur/East Central Railway.

4. Ld. Counsel for the respondents submits that vide notification No. 2017/O&M/3/7 dated 22.11.2017, Administrative Control of Diesel Loco Component Factory (DLCF)/Dankuni has been changed to General Manager/CLW instead of General Manager/Eastern Railway. A copy of said notification is furnished to the Ld. Counsel for the applicant during hearing.

5. Ld. Counsel for the applicant seeks liberty to file a comprehensive representation addressed to the competent respondent authority requesting the said competent authority to forward his application for transfer to the authority whereto the applicant is seeking a transfer.

6. Accordingly, without entering into the merits of the case, I give liberty to the applicant to make such a revised and comprehensive representation to his competent respondent authority with such request within a period of 4 weeks from the date of receipt of this order. Once received, the competent respondent authority, who is respondent No. 2, will take appropriate steps to forward it to General Manager, CLW for necessary action in this regard. Such action should be taken within 2 weeks from the date of such representation. The notification

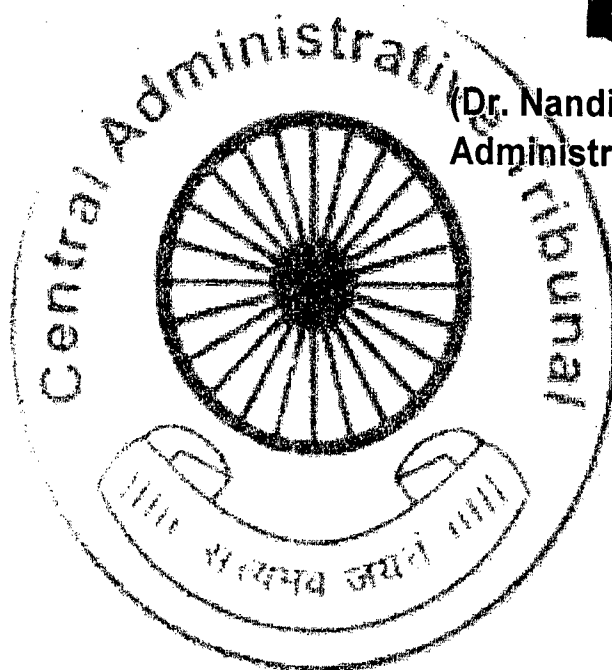
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furnished by Ld. Counsel for the respondents in which the administrative control of the concerned Unit has moved from Eastern Railway to CLW is taken on record.

7. Ld. Counsel for the respondents also argues that it may be required to implead CLW in the instant application.

Such impleadment may not be necessary at this stage as because no direction has been issued upon General Manager, CLW by this Tribunal and the directions are entirely on respondent No. 2.

8. With this direction, the O.A. is disposed of. There will be no order on costs.



(Dr. Nandita Chatterjee)  
Administrative Member

SP