

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

O.A. 606/2018

Dated this Thursday the 27th day of September, 2018

**Coram: Hon'ble Dr. Bhagwan Sahai, Member (A).
Hon'ble Shri R. N. Singh, Member (J).**

1. Nijmul Abdul Kalam,
Aged: 44 years, Occu: Senior Section Engineer,
Drawing Electrical Department,
Western Railway Head Quarters,
Station Bldg, Churchgate,
R/at: MS/RB-III, Bldg.No.1, Flat No.11,
5t Floor, Central Railway, Colony,
Near Huma High School,
Byculla, Mumbai-400 008.

...Applicant.

(By Advocate Shri R. G. Panchal).

Versus

1. Union of India, Through Secretary,
Ministry of Railway, Rail Bhavan,
South Block, New Delhi-110 010.
2. General Manager, (WR),
Western Railway Head Quarters,
Old Bldg, Churchgate,
Mumbai-400 020.
3. Principal Chief Electrical Engineer
Western Railway Head Quarters,
Station Bldg, Churchgate,
Mumbai-400 020.
4. Principal Chief Personnel Officer,
Western Railway Head Quarters,
Old Bldg, Churchgate, Mumbai-400 020.
5. Chief Project Director,
Railway Electrification, (Ahmadabad)
Sabarmati, Ahmadabad-380 019.

... Respondents.

O R D E R (O R A L)

Per : R. N. Singh, Member (Judicial)

Present.

1. Shri R. G. Panchal alongwith Shri A. R. Kori,

learned counsels for the applicant. Heard him.

2. The applicant who is working as Senior Section Engineer joined Electrical Department, Western Railway, Churchgate is aggrieved of the order / letter dated 09.02.2018 and 09.02.2018 (Annexure A-1).

3. The learned counsel for the applicant submits that aggrieved by the aforesaid letter dated 09.02.2018 by which the Competent Authority has accorded approval for deputation of the applicant. The applicant had made a representation on 21.02.2018 (Annexure A-7) to the Chief Electrical Engineer, Western Railway Headquarters, Churchgate, Mumbai.

4. The learned counsel for the applicant further submits that the General Secretary of the concerned Association / Union has also sent a letter dated 23.02.2018 (Annexure A-8) to the respondent no.2 requesting therein that the posting order of the applicant issued vide aforesaid letter dated 09.02.2018 should be canceled and also instructions of transferring of staff in order to seniority should be followed.

5. The learned counsel for the applicant also submits that in spite of the aforesaid representation dated 21.02.2018 and 23.02.2018 no remedial action has been taken by the respondents in the matter.

6. The learned counsel for the applicant also submits that the applicant would be satisfied if the

directions are issued to the respondents for consideration of the applicant's aforesaid representation and disposal of the same by passing a reasoned and speaking order in accordance with law.

7. Therefore, the OA stands disposed of at the admission stage with directions to the respondents for disposal of the applicant's representation by passing a reasoned and speaking order in accordance with law within eight weeks and same shall be communicated to the applicant within two weeks thereafter.

8. The OA is, therefore, disposed of at the Admission stage itself in the above terms.

9. No order as to costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.