

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT BENCH AT RANCHI
OA/051/00656/18**

Date of Order: 14/09/2018

**C O R A M
HON'BLE MR. A.K. PATTNAIK, MEMBER[J]
HON'BLE MR. PRADEEP KUMAR, MEMBER[A]**

Prakash Mandal, aged about 42 years, Son of Narsingh Mandal, Resident of New Pundag, Near SAIL City Gate, PO: Pundag, PS- Jagarnathpur, District- Ranchi, Pin- 834004.

..... Applicant.

- By Advocate: - Mr. V.K. Tiwary

-

-Vrs-

1. Union of India through the General Manager, South Eastern Railway, Garden Reach, Kolkata, Pin- 700043.
2. The General Manager (Vigilance), South Eastern Railway, Garden Reach, Kolkata, Pin- 700043.
3. The Dy. Chief Vigilance Officer (T), South Eastern Railway, Garden Reach, Kolkata, Pin-700043.
4. The Principal Chief Personnel Officer, South Eastern Railway, Garden Reach, Kolkata, Pin- 700043.
5. The Sr. Personnel Officer (Traffic), Personnel Department, South Eastern Railway, 14 Strand Road, Kolkata, Pin- 700007.
6. The Principal Chief Commercial Manager, Personnel Department, South Eastern Railway, 14 Strand Road, Kolkata, Pin- 700007.
7. The Divisional Railway Manager, South Eastern Railway, Ranchi Division, Ranchi at DRM Office, PO & PS: Hatia, District- Ranchi, Pin- 834003.
8. Sr. Divisional Commercial Manager, South Eastern Railway, Ranchi Division, Ranchi at DRM Office, PO & PS- Hatia, District- Ranchi, Pin- 834003.

9. Sr. Divisional Personnel Officer, South Eastern Railway, Ranchi Division, Ranchi at DRM Office, PO & PS- Hatia, District: Ranchi, Pin- 834003.

..... Respondents.

- By Advocate - Mr. Prabhat Kumar

ORDER
[ORAL]

Per A.K. Pattnaik, J.M.:- This OA has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 with the following prayers:-

“ (i) For quashing of the Letter dated 05.02.2018 (Annexure A/4), issued by the Sr. Personnel Officer (Traffic) for Chief Personnel Officer, Personnel Department, 14 Strand Road, Kolkata whereby and where under the applicant has been ordered for Inter Railway Transfer from Ranchi Division/South Eastern Railway to Southern Railway, as per Railway Board's direction.

(ii) For further directing the respondents not to take any coercive action against the applicant during the pendency of this original application before this Hon'ble Tribunal for pressurizing him to join at the transferred place, as mentioned in Letter dated 05.02.2018; and

(iii) For any other relief or reliefs for which the applicants are entitled under the facts and circumstances of this case.”

2. The sum and substance of the case as per the applicant is that the

3. As his last representation dated 24.05.2018 (Annexure A/7) is stated to be pending before the respondent no. 2, we dispose of this OA at the admission stage itself without entering into the merit of the case with direction to respondent no. 2 that if any such representation has been preferred on 24.05.2018 and the same is still pending consideration then the same may be considered keeping in mind the departmental rules on the subject. After such consideration if the applicant's grievance is found to be genuine then the respondent no. 2 is directed to consider his case and pass a reasoned and speaking order within a period of six weeks of receipt of this order with due communication to the applicant. No order as to costs.

4. As prayed for by the learned counsel for the applicant, a copy of this order along with the copy of OA in paper book format

along with his representation dated 24.05.2018 be submitted to respondent no. 2 by speed post for which he undertakes to deposit the cost with the registry within a period of 7 days.

[Pradeep Kumar]/M[A]

[A.K. Pattnaik]/M[J]

Srk.