

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00070/2019

Chandigarh, this the 7th day of February, 2019

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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Anil Chaudhary S/o Sh. Kishori Lal Chaudhary, Aged about 53 years, working as Chief Booking Supervisor, Railway Station, Chandigarh, R/o House No. 1296, Sector 56, Chandigarh - 160055.

Applicant

(Present: Mr. Sandeep Siwatch, Advocate)

Versus

1. Union of India through General Manager, Northern Railways, Baroda House, New Delhi – 110001.
2. Divisional Railway Manager, Northern Railway, Ambala Cantt – 133001.
3. Senior Divisional Commercial Manager of the Railways, Ambala Division, Ambala Cantt – 133001.
4. Sr. Divisional Personnel Officer, Northern Railway, Ambala Division, Ambala Cantt – 133001.

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Respondents

(Present: Mr. Yogesh Putney, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Applicant is aggrieved against the impugned order dated 03.12.2018 (Annexure A-1) whereby he has been transferred from Chandigarh to Giddaraha. He has also challenged the order dated 22.01.2019 whereby his representation against the transfer order has been turned down.
2. Learned counsel sought invalidation of the impugned order of transfer to Giddaraha, which is approximately 280 kms from

Chandigarh, on the ground that the applicant has already been declared medically de-categorised.

3. On the previous date of hearing, we did not issue notice but asked the learned standing counsel to have instructions in the matter.

4. Today, Mr. Yogesh Putney, learned counsel has put in appearance on behalf of the respondents and submitted that a large number of complaints against the applicant have been received in the department, therefore, it was decided to transfer him, in public interest. He submitted that the transfer is neither punitive nor result of any malice. The decision to transfer the applicant was taken in public interest and to maintain harmony at the workplace. Therefore, he prayed that the O.A., being devoid of any merit, be dismissed

5. Learned counsel for the applicant, at this stage, submitted that he may be permitted to withdraw the O.A., with liberty to the applicant to approach the department by filing a representation again to post him at a nearby station, keeping in view his mental instability.

6. Ordered accordingly.

**(P. GOPINATH)
MEMBER (A)**

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**(SANJEEV KAUSHIK)
MEMBER (J)**

Dated: 07.02.2019