

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

O.A. No. 021/01210/2018

Date of order : 31.12.2018

Between:

Mr. K V SACHINDRA BABU,
S/o K S VELAYUDHAN,
Aged 53 years,
Occupation: Sr.ECRC (Group 'C'),
South Central Railway,
Nanded.

Applicant

A N D

1. Union of India represented by
The General Manager,
South Central Railway,
3rd Floor, Rail Nilayam,
Secunderabad 500025,
2. The Principal Chief Personnel Officer,
South Central Railway,
Rail Nilayam,
Secunderabad.
3. The Senior Personnel Officer (Traffic),
South Central Railway,
Rail Nilayam,
Secunderabad.
4. The Senior Divisional Commercial Manager,
South Central Railway,
Nanded Division, Nanded.

... Respondents

Counsel for the applicant : Mr. G.Trinadha Rao

Counsel for the respondents : Mr. N.Srinivasa Rao,
SC for Railways

C O R A M :

THE HON'BLE MR .JUSTICE L NARASIMHA REDDY, CHAIRMAN
THE HON'BLE MR. B.V.SUDHAKAR, MEMBER (A)

ORAL ORDER

(Per Hon'ble Mr. Justice L Narasimha Reddy, Chairman)

The applicant is working as Senior Enquiry Cum Reservation Clerk (Sr.ECRC for short) in the South Central Railway. Through an order dated 03.02.2010 issued in pursuance of the CPO/SC's Order dated 21.01.2010, he was transferred from Secunderabad Division to Nanded Division, together with the post, on administrative grounds. He made representation to the General Manager, with a request to repatriate him to the parent Division. On a consideration of the same, the Principal Chief Personnel Officer issued order dated 30.04.2018 repatriating the applicant, together with the post, to Secunderabad Division, on the existing pay level 6. The grievance of the applicant is that though nearly 8 months elapsed, the order of repatriation has not been implemented so far. He filed this OA with a prayer to direct the respondents to relieve him.

2. Heard Mr.G.Trinadha Rao, learned counsel for the applicant and Mr.N.Srinivasa Rao, learned standing counsel for the respondents.

3. It was way back in the year 2010 that the applicant was transferred to Nanded Division together with the post, on administrative grounds. Even where punitive element exists in such transfer, it would be upto a specific period which normally is one or two years. The applicant worked for 8 years at Nanded Division in compliance to the order of transfer dated 21.01.2010. On a consideration of the representation made by him, the highest authority of the Personnel

Department in South Central Railway issued order dated 30.4.2018 restoring the applicant to his original place together with the post. There should not be, and infact cannot be any difficulty in implementing this order. Any delay in implementation is prone to be taken insubordination on the part of the one who is expected to implement the order issued by the Principal Chief Personnel Officer.

4. Therefore, the OA is disposed of directing Respondent No.4 to relieve the applicant forthwith and the concerned authority at Secunderabad to permit him to join. This exercise shall be completed within a period of two weeks from the date of receipt of this order.

5. We make it clear that any failure in this regard would expose the concerned officer not only to contempt but also for the consequences of violation of the order issued by the Principal Chief Personnel Officer.

6. There shall be no order as to costs.

(B.V.SUDHAKAR)
MEMBER (A)

(JUSTICE L NARASIMHA REDDY)
CHAIRMAN

vsn