

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 213 of 2019

This the 22nd day of April, 2019

Hon'ble Ms. Jasmine Ahmed, Member-J
Hon'ble Mr. Devendra Chaudhry, Member-A

Anand Kumar Mishra, aged about 37 years, S/o late Sri Janak Deo Mishra, R/o 71-A Railway Colony, District Hardoi

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Applicant

By Advocate : Sri Praveen Kumar

Versus.

1. Union of India through the General Manager, Northern Railway, Baroda House New Delhi.
2. The Divisional Railway Manager, Northern Railway Moradabad.
3. The Sr. Divisional Personnel Officer, Northern Railway, Moradabad.
4. Sr. Divisional Electrical Engineer/G, Northern Railway Moradabad.
5. Sri Pankaj Kumar Sharma, posted as Senior Section Engineer/Power, Northern Railway, Hardoi.

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Respondents.

By Advocate : Ms. Prayagmati Gupta

O R D E R (Oral)

By Ms. Jasmine Ahmed, Member-J

Heard the learned counsel for the applicant as well as the learned counsel for the respondents and perused the pleadings available on record.

2. This is second round of litigation. It is seen that on 6.2.2019 this Tribunal in O.A. No. 59 of 2012 had directed the respondents to consider and decide the representation of the applicant by passing a reasoned and speaking order in accordance with law under intimation to the applicant. In pursuance of the order of this Tribunal dated 6.2.2019, the respondents have passed the order dated 13.3.2019. Bare perusal of the order dated 13.3.2019 reveals clearly that the respondents have not adhered to the directions given by this Tribunal while passing the order dated 13.3.2019, the respondents have stated as under:-

“In compliance to above order, you have submitted your representation on 27.2.2019 and same has been examined by the

undersigned. In the light of circumstances of the case and perusal of all relevant facts and records. It is mentioned that the transfer orders have been approved by the competent authority and you have already been relieved on 31.1.2019 by your controlling in charge SSE/E/HRI.”

It is clearly seen that the order so passed by the respondents cannot be termed as a speaking or reasoned order. Accordingly, we quash the order dated 13.3.2019 with a direction to the respondent no.3/ competent authority to pass a reasoned and speaking order in accordance with law within a period of one month from the date of receipt of certified copy of this order. The applicant shall join at the transferred place as he has already been relieved from the present place of posting within one week of the issue of this order.

3. With the aforesaid observations, the O.A. stands disposed of finally at admission stage itself. There shall be no order as to costs.

(Devendra Chaudhry)
Member-A

(Ms. Jasmine Ahmed)
Member-J

Girish/-