

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

O.A.No.210/159/2019

Dated this Friday the 15th day of March, 2019

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

Shri Pradeep Kumar,
Son of Ravendra Pal Singh,
Age 50 years,
working as Station Superintendent,
Mira Road Railway Station,
Western Railway,
Dist.Thane, residing at H-102,
Timber Green Park, Near Toll Naka,
Dahisar (East), Mumbai-400 068.

...Applicant.

(By Advocate Shri S. V. Marne).

Versus

1. Union of India,
Through the General Manager,
Western Railway,
Headquarters' office,
Churchgate, Mumbai-400 020.
2. The Divisional Railway Manager,
DRM's Office,
Western Railway,
Mumbai Division,
Mumbai Central,
Mumbai-400 008.

... Respondents.

(By Advocate Shri S. Ravi).

O R D E R (O R A L)

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

Present.

1. Shri S. V. Marne, learned counsel for the applicant.
2. The present OA is filed by the applicant under Section 19 of the Administrative Tribunal's Act, 1985. The applicant challenges the order dated

28.09.2015 (Annexure A-1) vide which the applicant was transferred as Station Superintendent from Miraroad to Ukai Songarh and the letter / order dated 05.02.2019 (Annexure A-2) vide which the respondents have rejected the representation made by the applicant in view of the liberty granted by this Tribunal vide order dated 03.12.2018 in OA No.584/2015.

3. The learned counsel for the applicant submits that the applicant is still continuing at Mira Road Station and he is interested to serve at any place in Mumbai Suburban Section and applicant is having bonafide difficulties in case he is posted at Ukai Sonagarh or at any other place out of Mumbai Suburban Section. However, the applicant could not raise all these points in his representation which has been rejected by the respondents vide their impugned order dated 05.02.2019 (Annexure A-2).

4. The learned counsel for the applicant submits that the present OA can be disposed of with liberty to the applicant to make a comprehensive representation to the respondent no.2 i.e. D.R.M., Mumbai Division, Western Railway, Mumbai within one week and the respondents may be required to dispose of the said representation in a time bound manner.

5. Shri S. Ravi, learned counsel for the respondents appears and submits that the respondents have no objection to such request of the learned counsel for the applicant.

6. In view of the aforesaid, the OA is disposed of with liberty to the applicant to make a comprehensive representation qua his transfer order to the respondent no.2 within 10 days from today and in case such representation is received by the respondent no.2 within such time, the respondent no.2 is directed to consider the same and dispose of the same by passing a reasoned and speaking order within four weeks from the date of receipt of such representation.

7. In the aforesaid terms, the OA is disposed of. No order as to costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

JD
28/3/19

