

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

**ORIGINAL APPLICATION No.83/2019**

**Date of Decision: 29.01.2019**

***CORAM: R. VIJAYKUMAR, MEMBER (A)***  
***RAVINDER KAUR, MEMBER (J)***

Musa Kasam Jamadar

Age: 57 Years; Occupation: Service,

R/o. Row House No.13, 901/902

Sundarnagar, Behind Anand Nursing Home,  
Miraj – 416 410.

Off at: Station Master, Miraj Railway Station,  
Miraj – 416 410.

... *Applicant*

*(By Advocate Shri A.A. Desai )*

**Versus**

1. Union of India  
Through Divisional Railway Manager (P),  
Central Railway, Pune  
Office at: 564, Raja Bhadur Mill Road,  
Sangamvadi, Pune – 411 001.
  
2. Station Master,  
Central Railway Miraj,  
Miraj Railway Station,  
Tal. Miraj, Dist. Sangli – 416 410. ... *Respondents*

**ORDER (ORAL)**

*Per : Shri R. Vijaykumar, Member (A)*

Heard learned counsel for the applicant. He refers to the impugned transfer orders office order No.1269/2018 issued on 21.12.2018 by which the respondents have transferred him in his capacity as Junior Clerk at Miraj station to

the same capacity at the office of Senior DEM, Pune. He states that no reasons have been given for the transfer. Further, he submits that the applicant is suffering from illness and has recently undergone open heart surgery. Learned counsel for the applicant states that the applicant has gone on medical leave and he has not been relieved till now and also not joined the new station. Learned counsel for the applicant informs that no representation has been filed by the applicant with the respondents seeking vacation of his transfer order.

2. It is incumbent upon the applicant to first seek the possible remedies available to an employee before approaching this Tribunal and it would be possible for the Tribunal to adjudicate the matter only based on orders of respondents in reference to such a representation.

3. In the circumstances, this OA is clearly premature. The applicant may file a representation with the respondents within two weeks of receipt of these orders and the respondents are directed to consider such a representation, if so received, and to pass

a reasoned and speaking order within four weeks thereafter upon receipt of such representation and to serve a copy of these orders on the applicant within two weeks thereafter.

4. In the circumstances, this Original Application is disposed of with the above directions without any order as to costs.

**(Ravinder Kaur)**  
Member (J)

**(R. Vijay Kumar)**  
Member (A)

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JW  
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