

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

O.A. No.021/1081/ 2018

Date of Order :18.12.2018.

Between :

A.S.P.B.Rama Rao, s/o Penta Rao, age 55 yrs,
Group "C" Chief Commercial Supervisor, Warangal
Railway Station, r/o H.No.16-10-73/2/1,
Ganapathy Nagar,Road No.5, Siva Nagar,
Warangal-506 002.

...Applicant

And

1. Union of India, South Central Railway,
Rep. by its General Manager, 3rd Floor,
Rail Nilayam, Secunderbad-500 071.

2. Senior Divisional Personnel Officer,
Secunderabad Division, S.C.Railway,
IV Floor, Sanchalan Bhavan,
Secunderabad-500 071.

3. Senior Divisional Commercial Manager,
Secunderabad Division, S.C.Railway,
I Floor, Sanchalan Bhavan, Secunderabad-500 071.

... Respondents

Counsel for the Applicant

... Mr.P.Ramchander Rao

Counsel for the Respondents

... Mr.V.Vinod Kumar, Sr.CGSC rep., by
Mr.T.Sambasiva Rao

CORAM:

**THE HON'BLE MR.JUSTICE L.NARASIMHA REDDY, CHAIRMAN
THE HON'BLE MRS.NAINI JAYASEELAN, MEMBER (ADMN.)**

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ORAL ORDER

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

The applicant is working as Chief Commercial Supervisor in the South Central Railway. He has been working at Warangal for more than 4 years. Through an order dated 25.05.2018, the administration transferred as many as 85 officials to various places. The applicant was transferred from Warangal to Mahabubabad. The same is challenged in this OA.

2. The applicant contends that he has undergone a minor surgery for the ailment in throat and since he is under constant medication, it would be fit for him to work at Warangal.

3. The learned counsel for the Respondents had obtained instructions.

4. We heard Mr.P.Ramchander Rao, learned counsel appearing for the Applicant and Mr.T.Sambasiva Rao representing Mr.V.Vinod Kumar, the learned senior standing appearing for the Respondents, at some length.

5. Feeling aggrieved by the impugned transfer order dated 25.05.2018, the applicant filed O.A.No.915/2018 before this Tribunal. As an interim measure, this Tribunal vide order dated 05.10.2018, directed the 3rd respondent to consider and dispose of the representations submitted by the applicant by passing appropriate orders. In compliance with the orders of

this Tribunal, the respondents passed order dated 23.10.2018, rejecting the representations. On 02.11.2018, the applicant sought permission of this Tribunal to withdraw O.A.No.915/2018 with liberty to file a fresh OA, and the same was permitted. Hence, the present OA is filed with a prayer to set aside the letter dated 23.10.2018 issued by the 3rd respondent and the transfer order dated 25.05.2018, in so far as it relates to the applicant who is placed at Serial No.27 at Item II of the order.

6. The applicant filed certain medical prescriptions. One Doctor in a Private Hospital noted that the cause of the ailment is the chewing of tobacco. In the Railway Hospital, it was mentioned as 'hoarseness of voice' since 20 days and the applicant was treated as Out Patient. Though it is stated that he has been treated as in-patient, we find that the ailment is not such that it would disable the applicant from functioning at Mahabubabad. Whatever duties discharged at Warangal can be discharged at Mahabubabad, and the place is well connected through trains. It is also brought to the notice that the applicant has since joined at Mahabubabad and is working at that place.

7. We, therefore, find no merit in the OA, and the same is accordingly dismissed. No order as to costs.

Sd/-

**(NAINI JAYASEELAN)
MEMBER (ADMN.)**

Sd/-

**(JUSTICE L.NARASIMHA REDDY)
CHAIRMAN**

Dated: this the 18th day of December 2018
Dictated in the Open Court

Dsn.