

# LIBRARY

## CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA BENCH KOLKATA

OA No.350/00532/2015

Dated of order: 10.09.2015

**PRESENT:**

**THE HON'BLE MR. JUSTICE G. RAJASURIA, JUDICIAL MEMBER**  
**THE HON'BLE MS. JAYA DAS GUPTA, ADMINISTRATIVE MEMBER**

.....

SHRI SUNIL ACHARJEE, son of Sriman Badri Acharjee, aged about 27 years, residing at Village Madhyapara, PO. Patulia, Ps. Khardah, District North 24 Parganas, PIN-700 119.

.....Applicant

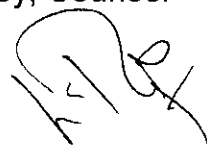
For the Applicant: Mr. A.K. Gayen, Ms. K. Mishra, Ms. T. Maity, Counsel

-Versus-

5. Union of India service through the General Manager, Eastern Railway, 27, N.S. Road, Fairlie Place, Kolkata-700 001.
6. Chief Personnel Officer, Eastern Railway, 17, N.S. Road, Fairlie Place, Kolkata-700 001.
7. Divisional Railway Manager, Eastern Railway, Sealdah Division, Kolkata-700014.
8. Senior Divisional Personnel Officer, Eastern Railway, Sealdah Division, Kolkata-700014.
9. Sr. Divisional Signal & Telecom Engineer, E.Rly, Sealdah Division, Kolkata-700014.
10. The Assistant Personnel Officer (ESM), Eastern Railway, Sealdah Division, Kolkata-700014.
11. Deputy CSTE/W/II/HQ, 17, N.S. Road, Fairlee Place, Kolkata-700001.
12. The Sr. Section Engineer/Signal, Kanchrapara, Eastern Railway, Sealdah Division, Barrackpore, Kolkata-700120.

.....Respondents

For the Respondents : Ms. Gopa Roy, Counsel



ORDER

JUSTICE G. RAJASURIA, JM:

Heard both at this admission stage itself.

2. This application has been filed seeking the following reliefs:

"(a) Impugned transfer order issued on or about August, 2014 and all steps taken in pursuance and/or furtherance thereto be cancelled and/or withdrawn and/or set aside and/or quashed forthwith;

(b) The sick period on and from 04.06.2014 to 23.8.2014 and till date be regularized as in service and be released the benefits in favour of the applicant thereon;

(c) Such further order or orders, direction or directions be given as to Your Lordships may deem fit and proper."

3. The Learned Counsel for the Applicant would submit that his client was transferred from Eastern Railway to Metro Railway without his request and as he was sick, the transfer order was not served on him and he made a representation on 02.09.2014 to the Divisional Railway Manager, Eastern Railway, Sealdah Division, Kolkata-700014 (Respondent No.3) against such order of transfer but there was no response till date.

4. The Learned Counsel appearing for the Respondents would submit that in the absence of any transfer order having been enclosed in the paper book, she could not give any fitting answer to the allegation as against the respondent authorities.



5. We could see considerable force in the said submission of the Learned Counsel appearing for the Respondents. Be that as it may, now we are not deciding the matter on merits. Since the learned counsel for the applicant prays for an innocuous direction, we would like to issue the same.

The appropriate railway authorities shall give a reply to the representation of the applicant dated 02.09.2015 within a period of one month from the date of receipt of a copy of this order.

6. This OA is accordingly disposed of. No costs.

(Jaya Das Gupta)  
Admn. Member

(Justice G.Rajasuria)  
Judicial Member

knm