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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 2394/2003

This the 26th day of September, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Surendra Pratap Singh
Working as Section Engineer (P.Way)
Northern Railway Delhi Division,
Posted at Northern Railway Station, Rohtak.

(By Advocate: Sh. Yogesh Sharma)

Versus

1. Union of India through the General Manager
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
Near New Delhi Railway Station,
New Delhi.
3. The Divisional Railway Manager,
Northern Western Railway, Bikaner.

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

The facts as alleged by the applicant are that he was working as Section Engineer (P.Way) in Northern Railway Delhi Division and was posted as Section Engineer (R.Way) RTK-II at Northern Railway Station, Rohtak.

2. It is further held that Railway has introduced a new zone known as North Western Railway and options have been sought from the employees whether they want to go to North Western Railway or they want to be retained in Delhi Division of Northern Railway. Applicant has given an option that he would like to remain in Delhi Division of Northern Railway itself. After that no option has been taken. No order has been passed. However, salary of the applicant has not been paid for the month of August 2003. Applicant made a representation

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alleges that he was earlier informed that since he has been transferred to North Western Railway, his salary shall come from North Western Railway and he should wait.

3. Counsel for applicant further submits that since no order of transfer has been issued to him, moreover junior as well as senior to applicant have been retained in Delhi Division, so there was no occasion for the respondents to transfer him to North Western Railway. However, it is admitted that there is no written order to show that the applicant has been transferred to North Western Railway.

4. In these circumstances, I think this OA should be disposed of with the direction to the respondents either to release the salary for the month of August 2003 and in case applicant has been transferred to North Western Railway then that transfer order should be duly served on him so that if applicants feels aggrieved of the same, he may challenge the same before the appropriate court of law. With these directions OA stands disposed of. This exercise should be done within a period of one month from the date of receipt of a copy of this order.


(KULDIP SINGH)
Member (J)

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