

**Vacation Bench****CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR****Original Application No.200/00971/2019**

Jabalpur, this Thursday, the 24<sup>th</sup> day of October, 2019

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Krishna Chand Kanojia, aged about 55 years, S/o Phullu Kanojia,  
R/o Near Vaibhav Talkies, Gorakhpur, Jabalpur (M.P), Mob.-  
7692857175 **-Applicant**

**(By Advocate – Shri H.R. Bharti)**

**V e r s u s**

1. The General Manager, West Central Railway Near Indira Market, Jabalpur (M.P) 482001.

2. The Divisional Railway Manager, West Central Railway, Jabalpur (M.P.) 482001.

3. The Senior Divisional Operating Manager, West Central Railway, Jabalpur (M.P.) 482001 **-Respondents**

**(By Advocate – Shri A.S. Raizada)**

**O R D E R (O R A L)**

This Original Application has been filed against the order dated 03.10.2019 (Annexure A-1), whereby the applicant has been transferred from Bikrampur Station to Sursaraighat Jhara Station.

2. The submission of learned counsel for the applicant is that though the applicant has been transferred vide Annexure A-1 on administrative ground, but nobody has been posted in place of him.

He further submitted that the applicant has completed three years at Bikrampur, whereas, as per the transfer policy, the normal tenure of an incumbent is four years.

3. On the other side, learned Standing counsel for the Railways submitted that this order has been passed in administrative exigency as mentioned in the order itself. Further, no malafide has been alleged against any of the respondents.

4. Heard both sides.

5. If Annexure A-1 is seen minutely, the applicant has been transferred on administrative account. The submission made by learned counsel for the respondents that it was on account of administrative exigency does not hold good as there is no such word in the transfer order to show that the same was on administrative exigency. Further, in the same order, nobody has been posted in place of the applicant.

6. At this stage, learned counsel for the applicant submitted that the applicant may be permitted to file a detailed representation regarding his grievance to the respondents and the respondents may be directed to consider and decide the same.

7. In view of the above facts and circumstances and in the interest of justice, the applicant is allowed to make a detailed representation to the competent authority of the respondents within 7 days positively. On receipt of such representation, the competent authority of the respondent department is directed to consider and decide the same within 30 days thereafter. Till such time the representation is decided, the applicant shall be allowed to work at Bikanpur, if nobody has been posted in his place.

8. With these observations, the O.A is disposed of at the admission stage itself.

**(Ramesh Singh Thakur)**  
**Judicial Member**

*am/-*