



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1141/2019

Date of Order: 05.11.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Nand Lal Mishra, son of Sri Suraj Deo Mishra, aged about 37 years, working for gain as Trackman under Senior Section Engineer/P.Way/ Haridaspur, Khurda Road Division, East Coast Railway/Odisha, residing at No. 86/A, Railway Qtrs., Bamangachi, P.O Salkia, District – Howrah, Pin 711106.

---Applicant

Versus

1. Union of India, through the General Manager, East Coast Railway, Bhubaneswar, Rail Sadan, South Block, Odisha, Pin – 751017.
2. The Secretary, Railway Board, Ministry of Railways, Government of India, Rail Bhawan, New Delhi.
3. The General Manager, Eastern Railway, 17, N.S Road, Kolkata – 700001.
4. The Chief Personnel Officer, East Coast Railway, Bhubaneswar, Rail Sadan, South Block, Odisha, Pin – 751017.
5. The Chief Personnel Officer, Eastern Railway, 17, N.S Road, Kolkata – 700001.
6. The Divisional Railway Manager, Khurda Division, East Coast Railway, Odisha
7. The Senior Divisional Personnel Officer, Khurda Division, East Coast Railway, Odisha
8. The Divisional Railway Manager, Howrah Division, Eastern Railway, Howrah.
9. The Senior Divisional Personnel Officer, Howrah Division, Eastern Railway Howrah.
10. The Senior Divisional Engineer (P.Way), East Coast Railway, Khurda Road Odisha
11. The Senior Divisional Engineer (Co-ordination), Howrah Division, Eastern Railway Howrah.

12. Ajit Kumar Sardar, son of Late Kisun Sardar, aged about 38 years, Ex-Trackman, under SSE/P.Way/Liluah, Howrah, Eastern Railway, now working for gain as Track-maintainer (chowkidar) being medically decategorised under SSE/P.Way/Liluah, Howrah, Eastern Railway, residing at Ghumal, P.O. Badjulaibira, P.S - Jamda, District - Mayurbhanj, Odisha - 757045.

-----Respondents.

For The Applicant(s): Mr. N. Chatterjee, counsel

For The Respondent(s): Mr. H. Ghosh, counsel

ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both parties.

2. This application has been filed to seek the following relief:

"i) To direct the respondents to give effect to the office order No. (TC)/33-2015 dated 21.07.2015 issued by the Senior Personnel Officer (Engg) for respondent No. 5 herein thereby releasing the respondent No. 12 herein being Senior employee between the applicant the respondent No. 12 herein as per stipulation made in the said office order dated 21.07.2015 and materialise the Inter Railway Mutual Transfer in question as contained in annexure "A-2" herein.

ii) to direct the respondents to consider the joint representations of the applicant and the respondent No. 12 for Inter Railway Mutual Transfer in their correct perspective as contained in Annexure "A-1" herein.

iii) To direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for effective adjudication of the issues involved herein.

iv) And to pass such further or order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. Since representations have been preferred by the applicant through his wife and the same is pending at the level of the respondent authorities, Ld. counsel agreed that the matter can be disposed of with direction upon the

competent authority to give personal hearing to the applicant as well as to the other person who had applied for mutual transfer along with him.

4. Accordingly, without entering into the merits of the matter, the O.A is disposed of with a direction upon the Respondent No. 7 or any other competent authority to give them a personal hearing upon due notice within a period of 2 months from the date of receipt of a copy of this order and to take a decision within 1 month thereafter.

5. The present O.A stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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