

(2022) 05 CAT CK 0019

In the Central Administrative Tribunal

Case No : Original Application No. 180, 00216 Of 2022

Manju.M

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 12-05-2022

Acts Referred:

Constitution Of India, 1949 — Article 14, 16, 21

Citation : (2022) 05 CAT CK 0019

Hon'ble Judges : P. Madhavan, Member, J;K.V. Eapen, Member A

Bench : Division Bench

Advocate : T.C.G Swamy, O.M. Shalina

Final Decision : Disposed Of

Judgement

P.Madhavan, Member J

1. The applicant submits that he is presently working as Senior Technician (Telecom) in the office of the Senior Divisional Signal and Telecommunication Engineer, Southern Railway, Trivandrum Division. He is aggrieved by an order of transfer to Ernakulam contrary to the Railway Board orders in this regard. He further submits that the Annexure A-1 to the extent it relates to the applicant is arbitrary and discriminatory and hence, violative of the Constitutional guarantees enshrined in Articles 14, 16 and 21. Hence he approached this Tribunal praying for the following reliefs:

" (i) Call for the records leading to the issue of Annexure A1, and quash the same to the extent it relates to the applicant;

(ii) Allow the applicant to continue in the same office as if Annexure A-1 had not been issued at all, or in the alternative;

(iii) Direct the respondents to consider the applicant's representation Annexure A-2 and A-3 and post her against the existing vacancy in the office of Senior Section Engineer, Wireless, Trivandrum with all consequential benefits.

(iv) Award costs of and incidental to this application. "

2. When the matter came up for admission hearing, on a perusal of pleadings, it is seen that the applicant has given two representations as Annexure A-2 and Annexure A-3 and these are still pending with the respondents. Learned counsel for the applicant submits that the applicant will be satisfied if a direction is given to the respondents to dispose of Annexures A-2 and A-3 representations within a time frame and before finalising the transfer.

3. Adv.Mrs.O.M.Shalina, SCGSC takes notice on behalf of the respondents and submits that there is no objection in considering the representations.

4. In view of the above limited submission, the Competent Authority is directed to consider Annexures A-2 and A-3 representations in the light of relevant rules and regulations and pass a speaking order before finalising the transfer. Till that time, status quo in respect of the applicant shall be maintained.

5. The Original Application is disposed of as above at the admission stage itself. No costs.