

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/020/218/2020**

HYDERABAD, this the 12<sup>th</sup> day of August, 2022

**Hon'ble Mr. Ashish Kalia, Judl. Member**



Syed Shameem, S/o. Syed Kareem,  
Aged about 39 years,  
Occ: Senior Section Engineer (Signal), Gr.B,  
O/o. Senior Divisional Signal and Telecom Engineer,  
DRM Office, Guntakal.

... Applicant

(By advocate : Mr. B. Pavan Kumar)

Vs.

1. Union of India rep. by  
the General Manager,  
South Central Railway, 3<sup>rd</sup> floor,  
Rail Nilayam, Secunderabad.
2. The Principal Chief Signal and Telecom Engineer,  
SCR, 7<sup>th</sup> floor, Rail Nilayam, Secunderabad.
3. The Principal Chief Personnel Officer,  
SCR, 4<sup>th</sup> floor, Rail Nilayam, Secunderabad.
4. The Divisional Railway Manager,  
Secunderabad Division,  
Sanchalan Bhavan, Secunderabad.
5. The Divisional Railway Manager,  
Guntakal Division, Guntakal.
6. The Senior Divisional Signal and Telecom Engineer,  
Secunderabad Division, SCR, Sanchalan Bhavan,  
Secunderabad.
7. The Senior Divisional Signal and Telecom Engineer,  
Guntakal Division, Guntakal.

... Respondents

(By Advocate: Mr. V. Venu Madhav Swamy, Sr PC to CG)

**ORAL ORDER**  
**(As per Hon'ble Mr. Ashish Kalia, Judl. Member)**

The present O.A. is filed seeking the following reliefs:



*“.....to call for the records pertaining to the impugned order in Lr. No.SG.155/2/37/Sig. Inspectors/Vol dated 3.1.2020 issued in the name of speaking order in pursuance of the orders of this Hon'ble Tribunal dated 4.12.2019 in OA No.1050/2019 relying on the ground that there is an acute shortage of SSE/ Signals at Guntakal Division and as such the case of the applicant for request transfer to Secunderabad/ Hyderabad on spouse grounds is not feasible and quash and set aside the same as illegal, arbitrary and violative of Article 14 & 16 of the Constitution of India and rules on the subject matter and contrary to the facts on the subject matter and consequently direct the respondents to reconsider the case of the applicant for posting at Secunderabad/ Hyderabad under spouse ground keeping in view of the orders of the Government of India and Railway Board in the interest of justice.”*

2. The brief facts of the case are that the applicant joined the respondents' organization as Junior Engineer on 9.2.2012 through Railway Recruitment Board. Later, he was promoted as Senior Section Engineer on 31.10.2015. While so, when he was working at Bhadrachalam, he has requested for transfer Construction or Secunderabad HQ Area vide his representation dated 31.12.2015. He was posted as Senior Section Engineer under the control of Senior DSTE/Coord/SC and his request for transfer was registered. However, through letter dated 11.4.2016, the applicant was informed that since he has recently been promoted and posted at Bhadrachalam, his request for transfer will be kept pending. Even as on 4.10.2016, his name is shown at Sl.No.8 in the pending list of

request transfers in the cadre of SSE/SE/JEs (Signal). The applicant has submitted another representation dated 4.9.2017 for processing his request transfer which was again rejected through letter dated 27.11.2017 on the same ground.



3. While so, the applicant got married on 20.9.2018 and his wife is working in Ranga Reddy District of Telangana. As such, the applicant submitted several representations, the latest being dated 23.07.2019. It is submitted that the respondents, without considering his repeated representations, in the process of reducing the staff in Railway Electrification Project, repatriated and posted him to Guntakal Division vide letter dated 3.7.2019. Upon this, the applicant submitted another representation dated 11.10.2019 requesting to post him in Secunderabad. He has approached this Tribunal by filing OA No.1050/2019. This Tribunal disposed of the said O.A. vide order dated 4.12.2019 with a direction to dispose of the representation of the applicant in accordance with the Railway Board Circular dated 2.2.2010. In pursuance of the said order of the Tribunal, respondents issued the impugned order dated 3.1.2020 rejecting the request of the applicant stating that there is an acute shortage of SSE/Signals at Guntakal Division. It is contended by the applicant that there is shortage of SSE/Signals even in Secunderabad. He has relied upon the DOPT orders dated 30.9.2009 & 2.2.2010 which mandate a serious exercise on the part of the respondents to accommodate the claims for transfer on spouse grounds.

4. Notices were issued to the respondents. There is no representation on behalf of the respondents today. Despite granting sufficient time, respondents have not filed reply.

5. After hearing the learned counsel for the applicant and after going through the material placed on record, the respondents are directed to consider the case of the applicant for transfer on spouse ground, keeping in view the DOPT OM dated 30.9.2009 and pass a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of the order. In case the applicant is still aggrieved, he may re-approach this Tribunal.

6. With the above direction, the O.A. is disposed of. No order as to costs.



**(ASHISH KALIA)**  
**JUDL. MEMBER**

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