



CGHC010359252026



2026:CGHC:41275-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 6909 of 2026**

1 - All India Loco Running Staff Association Through Its Divisional Secretary - Mohd. Shamim S/o Mohd. Islam, Aged About 49 Years, Occupation -Loco Pilot Goods, Bilaspur Division, South East Central Railway District Bilaspur (C.G.) -495006

2 - Ajay Kumar Mourya S/o Shri Kailash Prasad Mourya, Aged About 35 Years Occupation Loco Pilot In S E C R, Indian Railway, R/o RB -II , Railway, Colony Shahdol (M.P.) -484001

3 - Jitendra Kumar S/o Shri Ram Singh, Aged About 39 Years Occupation Loco Pilot In S E C R, Indian Railway, R/o RB -II , Railway, Colony Shahdol (M.P.) -484001

... Petitioner(s)**versus**

1 - Union of India Through Its General Manager, South East Central Railway Zone, New G M Building S.E.C. Railway, Bilaspur (C.G.) Pin Code 495001

2 - Divisional Railway Manager, South East Central Railway, Bilaspur Division, South East Central Railway, Bilaspur (C.G.) Pin Code -495001

3 - The Senior Divisional Personnel Officer, South East Central Railway, Bilaspur Division, Department Personnel, Bilaspur Division, South East Central Railway, Bilaspur (C.G.) Pin Code -495001

4 - The Senior Divisional Electrical Engineer, South East Central Railway, Bilaspur Division, South East Central Railway, Bilaspur (C.G.) Pin Code - 495001

5 - Yaseen Mirza S/o Shri M.I.Rashdeen, Aged About 36 Years Occupation- Loco Pilot In SECR, Indian Railway, R/o Ward No.21 Burhar Road, Shahdol (M.P.) -484001

6 - Pushpendra Kumar S/o Kamlesh Kumar, Aged About 32 Years Occupation- Loco Pilot In SECR, Indian Railway, R/o- Chandini Chowk, , Railway, Colony Shahdol (M.P.) -484001

... Respondent(s)

For Petitioner(s) : Mr. Sushobhit Singh, Advocate.

For Respondent No. 1 to : Mr. Ramakant Mishra, Deputy Solicitor
4 / Railways General

Hon'ble Mr. Krushna Ram Mohapatra, Chief Justice

Hon'ble Mr. Santosh Sharma, Judge

Order on Board

Per Krushna Ram Mohapatra, Chief Justice

22/09/2026

1. The order dated 25.06.2026 passed by the learned Central Administrative Tribunal, Jabalpur (*for short, the Tribunal*), in MA No. 777/2026 {arising out of OA No. 549/2026, (Jabalpur)}, is under challenge in this writ application whereby the interim application filed by the petitioners for stay of order of transfer, has been rejected.

2. Mr. Sushobhit Singh, learned counsel for the petitioners submits that the members of the petitioner-Association were initially appointed as Assistant Loco Pilot. Subsequently, they were

promoted to the post of Loco Pilot Goods vide order dated 04.12.2025. On their promotion, they were transferred to distant places which is opposed to the guidelines dated 10.10.2024 at Annexure P/6. He drew attention to clause 3(iii) of the guidelines, the relevant portion of which is quoted hereunder:

“3(iii) As regards transfer ordered as a sequel to promotion of staff the following instructions are to be followed:

- a) Residency staff will be considered to the nearest.*
- b) Before posting of staff on promotion all requests as registered by staff should be complied with and only resultant vacancies should be filled by promotes.*
- c) While filling up resultant vacancies by promotes, those who come up for promotion should be retained at same station if vacancies exists, after complying with requests according to seniority of registration and complying request of sensitive post.*
- d) In the course of posting the residuary staff, care should be taken to ensure that seniors in the group are considered for nearer station/shed/depot to their existing station/shed/depot from among the stations/sheds/depots where the vacancies exist according to seniority and the junior to be posted to further stations/sheds/depots unless the employee himself wants a particular station.*
- e) Among the SMs and ASMs in a particular station the senior most SM/ASM will man the station, the juniors will work as Rest Givers/Reliving SM/ASMs and junior most will work in cabins and wayside stations. The same ladder system should be followed in other categories also.”*

3. Mr. Singh, therefore, submits that as per clause 3(iii)(d), the authorities should ensure that members in the group are considered

for nearer station/shed/depot to their existing station/ shed/depot from amongst the stations/sheds/depots where the vacancies exists according to their seniority and the junior to be posted to further stations/sheds/depots unless the employee himself wants a particular station. In this case, the juniors were retained at nearer places but the petitioners being seniors, have been transferred to farther places. The learned Tribunal declined to pass any interim protection, which is *per se* illegal and opposed to clause 3(iii)(d) of the guidelines at Annexure P/6.

4. On the other hand, Mr. Mishra, learned Deputy Solicitor General appearing for the respondent No. 1 to 4/Railways submits that the members of the petitioner-Association, on being promoted, were adjusted in the same station. Subsequently, in usual course, they have been transferred to farther places which is not violative of clause 3(iii)(d) of the guidelines under Annexure P/6. As such, the Tribunal has committed no error in dismissing their miscellaneous application.
5. Taking note of the submission made by learned counsel appearing for the parties and on perusal of the record, we find the submission of Mr. Mishra, learned Deputy Solicitor General, to be correct. The members of the petitioner-Association, on being promoted were adjusted at the same station where they continued. Subsequently, they have been transferred to farther places in usual course. Thus, the learned Tribunal has committed no error in not granting them any interim protection against the order of transfer.

6. In the result, this Court, while dismissing the writ petition without interfering with the impugned order, observes that the learned Tribunal shall make an endeavour for early disposal of the original application giving opportunity of hearing to the parties concerned. Unnecessary/long adjournment should be avoided by the learned Tribunal while adjudicating the original application.

Sd/-

(Santosh Sharma)
JUDGE

Sd/-

(Krushna Ram Mohapatra)
CHIEF JUSTICE

Amit

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