

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

18/02/2020

O.A./260/73/2020

AVANINDRA RAY

-V/S-

M/O RAILWAYS

ITEM NO:13

FOR APPLICANTS(S) Adv. : MR.B.DASH

FOR RESPONDENTS(S) Adv.: MR.T.RATH

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr.B.Dash, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the Respondent-Railways on the question of admission. it is submitted by the learned counsel for the applicant that the applicant was posted in Khurda Road where he joined on 2.1.2019 and now he has been transferred to R.E.Organization, Allahabad vide order dated 13.02.2020 (A/10). It is submitted that he has a number of personal difficulties which have been mentioned in his representation at Annexure-A/9 of the O.A., addressed to Respondent No.1. It is also submitted that the mother of the applicant has been admitted in a Hospital for which it is not possible for him to remain away from the headquarters. Learned counsel for the applicant submitted that the impugned transfer order is also not as per the policy circular of the Railway Board as enclosed to the OA vide Annexure-A/12 and Annexure-A/13.</p> <p>On the other hand, learned counsel for the Respondents submitted that he has received instruction to the effect that the applicant will be accommodated within the State of Odisha after his transfer to RE, Allahabad and since he is holding a senior level post on ad hoc basis, after his relief, the other person who is likely to get promotion on</p>

regular basis could be posted against that post.

In view of the above submissions, it is felt that there is no reason to issue notice and keep this matter pending when the applicant's representation is not disposed of. Therefore, without expressing any opinion on the merit of the matter, this O.A. is disposed of with direction to Respondent No.1 to consider the difficulties as mentioned by the applicant in his representation dated 27.01.2020 (Annexure-A/9) and take an appropriate decision in the matter keeping in view the policy circular at Annexure-A/12 and Annexure-A/13 of the OA and communicate the decision to the applicant as expeditiously as possible and till a decision is taken, the applicant will not be relieved from his present post, provided no reliever has been posted in his place.

Free copy of this order be made over to learned counsels for both the sides.

(GOKUL CHANDRA PATI)
MEMBER (A)

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