

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

ORDER SHEET

COURT NO. : 1

02/03/2020

O.A./260/104/2020

MAHADEV JAGARIA

-V/S-

ALL INDIA RADIO

ITEM NO:12

FOR APPLICANTS(S) Adv. :

Mr. T. Rath

FOR RESPONDENTS(S) Adv.:

Mr. B.P. Nayak

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>The case of the applicant is that he has been relieved on 28.02.2020 in pursuance to the transfer order dated 16.07.2018 (Annexure-A/3) by which he was transferred from Bhawanipatna to Sambalpur. Learned counsel for the applicant submits that his son is a student of 2nd year Diploma at Government Polytechnic, Bhawanipatna and the applicant's claim in exemption from transfer is as per the Transfer Policy dated 14.07.1981 (Annexure-A/4), under which Group 'D' employees are exempted.</p> <p>Learned Counsel for the Respondents objected for filing of the O.A. on the ground of delay since the transfer order was issued on July, 2018. The applicant's counsel submitted that the applicant has been relieved only on 28.02.2020 in pursuance to said transfer order without issue of any order.</p> <p>In view of the above submissions, since the applicant has been relieved in the meantime, this O.A. is disposed of by granting liberty to the applicant to file a fresh representation before Respondent No.3/competent authority by filing relevant documents and copy of the policy at Annexure-A/4 within a period of one week. If such a representation is filed, the Respondent No.3/competent authority shall consider and dispose of the same in accordance with the rules and the Transfer Policy at Annexure-A/4, by passing a reasoned and speaking order under intimation to the</p>

applicant within a period of two months from the date of receipt of the representation from the applicant.

The O.A. is disposed of accordingly without going into the merit of this case.

Applicant will have liberty to send copy of this order along with copy of the paper books and the representation to Respondent No.3/competent authority.

Copy of this order to Ld. Counsels for both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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