

**CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK,
ORDER SHEET**

COURT NO. : 124/12/2019 O.A./260/818/2019 NILABH KUMAR

-V/S-

M/O RAILWAYS ITEM NO:3 FOR APPLICANTS(S) Adv. : Mr. D. K. Patnaik

FOR RESPONDENTS(S) Adv.: Mr. T. Rath

| Notes of The Registry | Order of The Tribunal |
|-----------------------|--|
| | <p>Heard Ld. Counsels for the applicant and Mr. T. Rath, for the respondents.</p> <p>Ld. Counsel for the applicant submitted that by issuing the transfer order at Annexure-A/4 dated 04.12.2019, applicant has been transferred in mid-session of academic year. In this regard, Ld. Counsel for the applicant has drawn attention of this Tribunal that applicant was earlier transferred vide order dated 28.12.2018(Annexure-A/2). The representations filed by the applicant on 05.12.2019(Annexure-A/5) and 09.12.2019(Annexure-A/6) are pending before the competent authority. One representation has been forwarded to the competent authority as seen from communication dated 09.12.2019(Annexure-A/7). Ld. Counsel for the applicant further submitted that the transfer order is illegal and in violation of the guidelines of the Railway Board at Anneuxure-A/1 series. He also submitted that said representations have not been disposed of by the authority and applicant has not yet been relieved from his post.</p> |

Ld. Counsel for the respondents submitted that process which has been initiated as seen from Annexur-A/7 dated 09.12.2019 may be completed.

Taking into consideration the said submissions by Ld. Counsels for both the sides, the OA is disposed of at this stage, with a direction to the respondent No.4/competent authority to consider the representations filed by the applicant and dispose of the same as per the provisions of law and communicate the decision by a speaking order to the applicant as expeditiously as possible and till such communication, respondents shall not disturb the applicant from the present place of posting. It is made that that the Tribunal has not expressed any opinion on the merit of the case.

With the above observations the OA is disposed of accordingly. No order as to costs. Copy of this order be given to Ld. Counsels for both the sides

(SWARUP KUMAR MISHRA)
MEMBER (J)

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