

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**



O.A/350/707/2020

Date of Order: 18.09.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Asit Kumar Paul,
 Son of Late Birendra Nath Paul,
 Aged about 56 years,
 Working as Sr. Field Assistant (M) at Kolkata EZRTC,
 Residing at 106, Boral main Road, Post Office – Garia,
 P.S. – Bansdroni, Kolkata – 700084.

... Applicant.

-Versus-



1. The Union of India,
 Service through the Secretary to the
 Government of India, Ministry of Home Affairs,
 Intelligence Bureau, North Block,
 New Delhi – 110001.
2. The Director,
 Intelligence Bureau, Government of India,
 35, Sardar Patel Marg, New Delhi – 110021.
3. The Joint Director (E),
 Intelligence Bureau, Government of India,
 35, Sardar Patel Marg, New Delhi – 110021.
4. The Assistant Director/E,
 Subsidiary Intelligence Bureau,
 Government of India, 9/1, Gariahat Road,
 Kolkata – 700019.
5. The Assistant Director/Trg.,
 Subsidiary Intelligence Bureau,
 Government of India, 9/1, Gariahat Road,
 Kolkata – 700019.
6. The Chief Medical Officer (NFSG),
 Eastern Zone Regional Training Centre,
 Government of India,
 Kolkata – 700094.

--Respondents

For The Applicant(s): Mr. A. Chakraborty, counsel

For The Respondent(s): Ms. D. Nag, counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides.

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2. This O.A has been preferred to seek the following relief:

"8.a) Order of Transfer being No. 721 (Estt)/2019 dated 03.12.2019 issued by the respondent No. 4, the Office Order being No. 1/Estt/Trg/2020-984 dated 03.03.2020, Office Order being No. 1/Estt/Trg/2020-2028-29 dated 04.08.2020 and Office Order being No. 1/Estt/Trg/2020-1246 dated 03.03.2020 issued by the respondent No. 5, Office Order No. 624/A (Estt)/2020 dated 25.08.2020 issued by the respondent No. 4 are not sustainable in the eye of law and as such the same may be quashed.

b) An Order do issue directing the respondents to properly consider the representation preferred by the applicant at an earliest and to allow him to perform at his present place of posting under respondent No. 6 at EZRTCE/Kolkata.

c) To grant Costs and incidentals.

d) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. At hearing, Ld. Counsel for the applicant would seek liberty to prefer representation to the Respondents, citing his personal difficulties to join the place of transfer.

4. Ld. counsel for the respondents would vociferously object to the prayer, on the ground that the applicant has been released vide an order dated 07.09.2020.

5. As the applicant seeks consideration of his grievance and would prefer representation to the authorities, without entering into the merits of the matter, we dispose of this O.A with a liberty to the applicant to prefer a comprehensive representation, citing his personal difficulties to the competent authority within 1 week from the date of receipt of a copy of this order. On receipt of such representation, the competent authority shall look into the grievance of the applicant, consider it in accordance with law and within 15 days from the date of its receipt issue an appropriate order.

6. Since the applicant is relieved of his duties, he may not be compelled to join the place of transfer and his absence on leave be adjusted against leave due in accordance with law.

7. The O.A accordingly stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)