

**Central Administrative Tribunal
Cuttack Bench
Cuttack**

M/s. B.P. Das
U.C. Pattnaik
H.N. Rout
S.C. (Central)

ORDER SHEET

Application No.

128 19 87

Boudaban Chakrabarty

Applicant

Versus

Union of India & others.

Respondent (s)

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on Order
1	18.5.87	<p>With the consent given by learned counsel for both parties, we have admitted this case for hearing and we have proceeded to hear this matter on merits.</p> <p>2. The grievance of the petitioner is that he has been transferred to Agartala from Bhubaneswar on administrative grounds since 2.9.1983 and the petitioner has not yet carried out the order of transfer to Agartala as his representation has not been disposed of. The petitioner wants us to strike down the order of transfer. Law is well settled that a transfer order can be struck down only if it is shown that the competent authorities have passed the order which is a malafide in nature and out of prejudice for the incumbent, the competent authority has passed this order. Nothing was shown to us by the learned counsel for the petitioner so as to strike down the order of transfer but it was told to us that the representation for cancelling the order of transfer is still pending with the competent authority i.e., before the Director, General, Civil Aviation, East Block No. II and III Ramakrishna Puram, New Delhi (Respondent No.2). We would direct that the representation of the petitioner be disposed of within three months from the date of receipt of a copy of this judgment.</p>	

2

O A 128/87

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on Order
Order No. 1 dt. 18.5.87 contd.	3.	<p>Thus, the application is accordingly disposed of leaving the parties to bear their own costs.</p> <p><i>[Signature]</i> Vice Chairman.</p> <p><i>[Signature]</i> Member (Judl.)</p>	<p><i>Copy of order NO. 1 dt. 18.5.87 are communicated to all respondents & petitioner by registered on 20.5.87</i></p> <p><i>[Signature]</i> 20.5.87</p> <p><i>S. D. (J)</i></p>