

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

Original Application No. 92 of 1992.

Date of decision : July 22, 1992.

Gouranga Charan Das ... Applicant.

Versus

Union of India and others ... Respondents.

For the applicant ... M/s.Devananda Misra,
Deepak Misra,
A.Deo, B.S.Tripathy,
P.Panda, Advocates.

For the respondents ... Mr. P. N. Mohapatra,
Addl. Standing Counsel (Central)

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CORAM:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

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1. Whether reporters of local papers may be allowed to see the judgment ? Yes.
2. To be referred to the Reporters or not ? No
3. Whether His Lordship wishes to see the fair copy of the judgment ? Yes.

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JUDGMENT

K.P.ACHARYA, V.C. In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays to quash the order passed by the competent authority contained in Annexure-2 transferring the applicant from Cuttack to Sambalpur.

2. Shortly stated, the case of the applicant is that while he was functioning as Assistant Superintendent, Telegraph Traffic posted at Cuttack, vide order dated 20.12.1991 contained in Annexure-2 the applicant had been transferred to Sambalpur which is under challenge.

3. No counter has been filed in this case for the reasons best known to the respondents.

4. I have heard learned counsel for the applicant and Mr. P. N. Mohapatra, learned Additional Standing Counsel (Central) for the respondents. I was told by learned counsel for the applicant that the applicant in the meanwhile has joined at Sambalpur and therefore the prayer No. 1 has become infructuous. Argument of learned counsel for the applicant was confined to prayer No. 2 and it was submitted that Respondent No. 4, R.P. Markan at present working as Assistant Superintendent, Telegraph Traffic at Cuttack Central Telegraph Office has made an application for being transferred to Sambalpur and the present applicant has also made a representation for his transfer to Cuttack. It was therefore, prayed on behalf of the applicant that the appropriate authority may be directed to consider the same and pass necessary

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orders effecting an interchange by way of transfer between the applicant and the Respondent No. 4. Mr. Mohapatra learned Addl. Standing Counsel (Central) submitted that as far as he knows Respondent No. 4 has not filed any representation. It is directed that in case Respondent No. 4 has filed a representation for his transfer to Sambalpur and in case, the applicant has made a representation for his transfer from Sambalpur to Cuttack, it may be considered by the appropriate authority and orders be passed according to law. I hope and trust the representations of these officers, if filed, may be disposed of at best within a couple of months from the date of receipt of a copy of this judgment.

5. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

Lalit Mohapatra
22.7.92
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VICE-CHAIRMAN

Central Administrative Tribunal,
Cuttack Bench, Cuttack,
July 22, 1992/Sarangi

