

(A)

Mr. S. Mr. Mohanty
S. Mr. Mohanty
CAT 1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A/T.A./F.A. No. 383 1993

Versus
Union of India & Others Respondent (s)

Sr. No	Date	Order with Signature
1.	28.7.93	<p>We have heard Mr. S.P. Mohanty learned counsel for the petitioner and Mr. Ashok Misra learned Senior Standing Counsel (Central). Vide Annexure 1 the petitioner has been given promotion to the cadre of H.S.G. II. Vide Annexure 2 dated 11.6.1993 the petitioner has been transferred from Cuttack to Niali. This is sought to be quashed.</p> <p>Grievance of the petitioner is that though three other incumbents similarly situated had been transferred from Cuttack to other places though they have completed their tenure their order of transfer has been cancelled, but in the case of the petitioner though he has not completed his tenure he has been transferred to Niali and his representation dated 18th June, 1993 filed before the competent authority, contained in Annexure 3 though not considered yet, the transfer order contained in Annexure 2 has been ordered to be given effect to. According to Mr. Mohanty learned counsel for the petitioner this is a clear discrimination between different set of officers amounting to mala fide.</p> <p>After hearing learned counsel for both sides, we ^{observed} we would that the representation filed by the petitioner ^{in the} (Director of Postal Services, Bhubaneswar) before the competent authority contained in Annexure 3 dated 18th June, 1993 be disposed of within 15 days from the</p>

Serial No. of Order	Date of Order	Order with Signature
		<p>date of receipt of a copy of the order.</p> <p>Mr. Mohanty invited our attention to Annexure 4 which is a certificate granted to outdoor patient certifying illness of the wife of the petitioner. That may be taken into consideration by the Director of Postal Services and orders be passed according to law. Till final orders are passed, ^{on the representation} petitioner should not be disturbed. Thus, the application is accordingly disposed of. No costs.</p> <p>Send a copy of this order to the Opposite Parties and a copy of this order be made available to the counsel for both sides.</p> <p><i>b.a.</i> Vice-Chairman <i>b.m.</i> Member (Admn.)</p>