

M/s S. Mr. Mohanty  
S. P. Mohanty

Mr. P. N. Mohapatra

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(C)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## CUTTACK BENCH, CUTTACK

O.A./T.A./P.A.No. 676 .....1993

Keshab Chandra Sethy .....Applicant (s)

Versus

Union of India & others .....Respondent (s)

Sr. No	Date	Orders	Office note as to action (if any) taken on order
1	17/12/93	<p style="text-align: center;"><i>Register</i></p> <p style="text-align: center;"><i>by Registrar</i></p> <p>We have heard Mr.S.K. Mohanty learned counsel appearing for the petitioner and Mr.P.N. Mohapatra learned Additional Standing Counsel (Central). There is a long history behind this case. petitioner Shri Keshab Chandra Sethy had been transferred to Dhenkanal. He moved this Bench to quash the order of transfer. This forms <sup>ed</sup> subject matter of O.A.NO.261 of 1992. The Bench refused to interfere with the order of transfer and the order of transfer of the petitioner was upheld. Petitioner joined at Dhenkanal. Within a very short time, the petitioner managed to</p>	<p><i>J.P. O. of M. 201 =</i> <i>Each no. 712</i> <i>312884 &amp; 312883</i> <i>&amp; 634 253730</i> <i>of M101 = are filed,</i> <i>17/12/93</i></p> <p><i>May be placed for Registrar.</i></p> <p><i>S.P.</i></p> <p><i>17/12/93</i> <i>(1) para-11 of the application has been left blank.</i> <i>(2) Complete postal address of Resp. nos. 2, 3 &amp; 4 has been given.</i></p> <p><i>DR.</i> <i>17.12.93</i></p> <p><i>We may ask the lawyer to furnish complete postal addresses for issue of notice.</i></p>

17.12.93

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(C) 01/16/93

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p>get an order of transfer from Dhenkanal to Keonjhar which was passed by the Telecom District Engineer, Keonjhar. For clearance of some money due to the petitioner on account of his T.A. etc., the petitioner had moved this Bench and in those circumstances, the matter came to the knowledge of the learned Single Judge that the petitioner has successfully managed to go back to Keonjhar. This was not appreciated by the learned Single Judge and it was ordered that the petitioner should go back to Dhenkanal and he has been transferred. This application has been filed with a prayer to quash the order of transfer contained in Annexure-2 or in the alternative to order that the impugned order be kept in abeyance for a period of six months or till the academic session is over. We do not like to interfere with the order of transfer as it is in pursuant to the directions given by the learned Single Judge, refusing to interfere with the order of transfer passed by the T.D.E transferring the petitioner previously from Keonjhar to Dhenkanal and thereafter</p>	<p>For Admission e Stay - copy of Allowed.</p> <p>Bench</p> <p>12/14/93</p>

Serial No. of Order	Date of Order	Order with Signature	Office note as to action ( if any ) taken on order
		<p>not appreciating the manner in which the petitioner managed to obtain a transfer order from Dehankal to Keonjhar. Therefore, we find no merit in this petition which stands dismissed. No costs.</p> <p>We are told that the petitioner has not been relieved as yet from Keonjhar. We would look upon the conduct of the Telecom District Engineer, Dhenkal with an eye of suspicion that perhaps he is <del>the</del> <sup>an</sup> abettor with the petitioner in not giving effect to the orders passed by this Bench. If the TDE, Dhenkanal continues to behave in such a manner, serious view should be taken against him. In order to keep up the dignity of this Bench and the orders passed by this Bench; It is directed that the TDE Dhenkanal should take effective and speedy steps to get the petitioner relieved from Keonjhar within three days from the date of service of a copy of the order on the TDE Dhenkanal and within a week therefrom, the petitioner should join at Dhenkanal failing which</p>	

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Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
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proceeding for contempt will be initiated not only against the petitioner but against the TDE Dhenkanal.

Registry is directed to send a copy of this order forthwith to the TDE Dhenkanal to be served on him at the cost of the Registry through a Special Messenger. This order is dictated in the presence of Mr. S.K. Mohanty learned counsel appearing for the petitioner and Mr. P.N. Mohapatra learned Additional Standing Counsel (Central). Copies of this order be made available to the counsel for both sides by tomorrow. Mr. Mohanty learned counsel for the petitioner is requested to give necessary instruction to his client to carry out this order.

*[Signature]*  
vice-Chairman  
  
*[Signature]*  
Member (Admn.)

Or. No. 1  
dt. 20.12.93

A copy of order may be sent to T.D.E. Dhenkanal through Spl. Messenger at the cost of the Registry as per direction of Hon'ble Court.

The same may be given to the Counsel box both sides.

*[Signature]*  
3/1/2  
*[Signature]*  
S. 21/12/93

Received copy  
*[Signature]*  
Adm.  
22/12/93

Recd the copy of the order  
judgment along with the  
notice.  
*[Signature]*  
13.12.93  
2-174

Copy of order of Supreme Court communicated to all  
*[Signature]*  
port. *[Signature]*

*[Signature]*  
Recd by  
Petitioner  
*[Signature]*