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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 323 of 1994.

Date of decision : June 22, 1994.

Anoselom Naik ... Applicant.

Versus

Union of India and others ... Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ? *no*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? *no*


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

22 JUN 94

22-6-94
(K. P. ACHARYA)
VICE-CHAIRMAN.

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Respondents.

For the applicant...

M/s. Agasti Kanungo,
T.H.S. Rao,
B.N. Samantray, Advocates.

For the respondents ...

Mr. Ashok Misra,
Sr. Standing Counsel (Central)

CORAM:

THE HON'BLE MR. K. P. ACHARYA, VICE-CHAIRMAN

A N D

THE HON'BLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN).

ORDER

K. P. ACHARYA, V.C., In this application under section 19 of Administrative Tribunals Act, 1985, the applicant, Shri Anoselom Naik, presently working as Overseer, Mails, posted at Balliguda, prays to quash the order passed by the competent authority transferring him from Balliguda to Udayagiri.

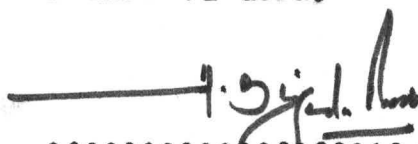
2. In their counter, the respondents maintained that the applicant has stayed at Balliguda for the last 14 years and therefore, for administrative reasons he has been rightly transferred from Balliguda to Udayagiri.

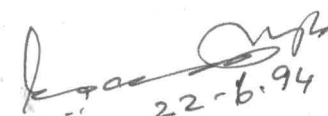
3. We have heard Mr. Kanungo, learned counsel for the

applicant and Mr. Ashok Misra, learned Senior Standing Counsel (Central) for the respondents.

4. In view of the dictum laid down by the Hon'ble Supreme Court in the case of Mrs. Shilpi Bose and others vrs. State of Bihar and others reported in AIR 1991 SC 532 and in the case of Union of India and others vrs. S.L. Abbas reported in 1994 SCC (L & S) 230 and taking into consideration many other ^{judgments} matters on the subject, we find that there is no ground for interference. Hence, the prayer of the applicant stands dismissed leaving the parties to bear their own costs.

5. The stay order granted on 27.5.1994 automatically stands vacated.


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MEMBER (ADMINISTRATIVE)
22 JUN 94.


22-6-94
.....
VICE-CHAIRMAN.

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
June 22, 1994/Saranghi.