

Mr. C. M. K. Murty.

CAT / J / II

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./~~RA/RKA~~ No..... 684 1996

R. K. Bose Roy Choudhury.....Applicant(s)

Versus

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

Sr. No.	Date	Order with Signature	
	23.9.96	REGISTER	IPO for Rs. 50/- has been filed.
		Registrar	23.9.96.
1.	23.9.96	Heard Shri C. M. K. Murty learned Counsel for the Applicant and Shri Ashok Mohanty, learned Senior Standing Counsel (Central) for the Respondents.	For Regn. Please 23.9.96 S.O. 23.9.96
		<p>This application is filed against the order of transfer from Charibatia to Doon Dooma. His ground is that the applicant's daughter is suffering from Epilepsy and needs attention by the father as there is no male member in the family. She is also studying in the Central School in Class-XI and her examinations are to be held in the month of March, 1997.</p> <p>Annexure-1, the impugned order of transfer was passed on 19.6.1996. There was a representation on 1.7.96. Annexure-2, in this representation, it is stated that the effective date of promotion as Aerodrome Assistant was to be considered from 1.3.1982.</p>	Registrar S.

Serial No. of Order	Date of Order	Order with Signature
		<p>instead of the date mentioned in the transfer order. The applicant has been sent on transfer on promotion. Annexure-3 is a rejection order of the applicant's representation. In Annexure-2 no ground about the illness of the child of the applicant or her education has been mentioned. What has been mentioned is the pending case about the applicant's promotion. Annexure-4 is a second representation in which the applicant says that he can only accept the post of Aerodrome Assistant w.e.f. 1.3.1982 or in the alternative he suggests to his superior that the judgment of the CAT be awaited. This representation has been turned down. Even in this representation the personal difficulties of the applicant were not mentioned. Annexure-6 is the 3rd representation wherein the personal difficulties are mentioned.</p> <p>I have carefully considered the submissions. The applicant stayed in Charibatia, Cuttack for over five years. He has been transferred to Doom-dooma on promotion. Annexure-8 is dated 9.2.1988 wherein Miss. Soma Bose Roy Chowdhury, daughter of the applicant suffering from a disease for which adequate facilities are stated to be not available at Doom-dooma. This certificate is dated 9th February, 1988 and can not be admitted now. It has no relevance or validity after eight and half years. At any rate, this can not be a ground for the applicant to stay at a particular station. I do not see any ground whatsoever to interfere with the order of transfer. The application accordingly can not be admitted. It is dismissed at the admission stage.</p> <p style="text-align: right;">M. V. R. P. (Administrator)</p>