

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 761 OF 1996.

Cuttack this the 13th of September, 1998.

Pramod Kumar Sahoo.

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Applicant.

Vrs.

Regional Director & another.

Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? Yes.
2. Whether it be circulated to all the Benches of Central Administrative Tribunal or not? No.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
SOMNATH SOM
VICE-CHAIRMAN
12/9/98

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 761 OF 1996.

CUTTACK THIS THE 18TH DAY OF SEPTEMBER, 1998.

C O R A M:-

THE HONOURABLE MR. SOMNATH SOM, VICE-CHAIRMAN

AND

THE HONOURABLE MR. G. NARASIMHAM, MEMBER (JUDIL.)

....

Pramod Kumar Sahoo,
aged about 38 years,
S/o. Late K.C. Sahoo,
B-32, ESI Colony,
IRC Village,
Nayapalli,
Bhubaneswar.

...

APPLICANT.

By legal practitioner :- M/s. P. V. Ramdas, P. V. B. Rao, Advocates.

- Versus -

1). Regional Director,
Employees State Insurance Corporation,
Regional Office, Panchadeep Bhawan,
Janpath, Unit-IX, Bhubaneswar-7.

2). Deputy Director (Admn.)
Employees State Insurance Corporation,
Regional Office, Panchadeep Bhawan,
Janpath, Unit-IX, Bhubaneswar-7.

... RESPONDENTS

By legal Practitioner: M/s. M. R. Mohanty, P. P. Ray, Advocates.

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O R D E R

S. Som
MR. SOMNATH SOM, VICE-CHAIRMAN:-

In this Original Application under section 19 of the Administrative Tribunals Act, 1985, the petitioner has prayed for quashing the transfer order dated 7.10.96 (Annexure-1) transferring him from the post of UDC at

Regional Office, Bhubaneswar to UDC Cum Cashier, Local Office, Kansabahal in the District of Sundergarh.

2. AS stay order was not granted, after admission of this petition, the applicant has already obeyed the transfer order and has joined at his new place of posting as UDC cum Cashier, Local Office, Kansabahal.

3. We have heard Shri P.V. Randas, learned counsel for the petitioner and Shri M.R. Mohanty, learned counsel appearing for the Corporation. It is submitted by the learned counsel for the petitioner that as the petitioner has already obeyed the transfer order and joined his new place of posting, he does not press for quashing the order of transfer. It is submitted by him that he has joined at Kansabahal in February, 1997 and has completed more than one and half years there. Petitioner's wife is working in the Industrial Development Corporation. ^{at Bhubaneswar} It is also submitted that the applicant's mother passed away on 13.10.96. ^{J.M.} Applicant is facing difficulties in maintaining two establishments at Bhubaneswar and Kansabahal. In view of this, it is submitted by learned counsel for the petitioner that he will make a representation to the Departmental Authorities to consider his case for transfer to Bhubaneswar or any place near about. There are departmental instructions that to the extent possible husband and wife, if both are in public employment should be posted in one place. In view of this, this Original application is disposed of with a direction to the applicant that he should

make a representation to the Respondent No.1 within a period of fifteen days from today. Respondent No.1 is directed to dispose of this representation sympathetically taking into account the difficulties ^{be} to/alleged by the petitioner in his representation and dispose of the same strictly in accordance with rules within a period of 30 days after receipt of representation and inform the result to the petitioner within fifteen days thereafter. With the above directions the O.A is disposed of. No costs.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN 12.9.98