

M/s DR. Patnaik
G.P. Patnaik
K.C. Padham
M.K. Khurda
CAT/1/11

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A.No..... 895 1996

D. Gr. Little Wood..... Applicant(s)

VERSUS

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

Sr. No.	Date	Order with Signature
	17/12/96	<p>REGISTER</p> <p>Registrar</p> <p>S.P.O. B Rm 50/- has been billed. 17/12</p>
1	18.12.96	<p>In this Application the applicant prays to quash Annexure-4 dated 22.11.1996 and Annexure-5 dated 4.12.1996, respectively passed by Respondent No.4, viz., Senior Divisional Personnel Officer, S.E.Railway, Khurda Road. The applicant, a Personnel Inspector, Gr.II is transferred and posted as Warden Boys Hostel, Cuttack in addition to supervision of Ladies Hostel at Cuttack vide Annexure-4. The grounds on which the applicant contests this order of transfer is that only a Welfare Inspector should remain charge of these duties, but not a Personnel Inspector. He says that the duty chart of a Welfare Inspector covers such jobs against which the applicant has been transferred.</p> <p>This Application can be disposed of by giving a simple direction to the Divisional Railway Manager, S.E.Railway, (Respondent 2) following the law laid down by the Supreme Court in the case of Gujarat Electricity Board vs. Atmaram Sungowal Poshwani (1989) 10</p> <p>Free copy of the order of 18.12.96 given to the counsels for both sides. The application is disposed of.</p> <p>P.D. 18/12/96</p> <p>S. J. 18.12.96</p> <p>C. J. 18.12.96</p>

On Behalf Of The Counsel Party R. K. Patnaik K. K. Patnaik S. J. Patnaik
18.12.96

2 (A)

OA-895-96

Serial No. of Order	Date of Order	Order with Signature
		<p>A.T.C. 396; 1989(2) SCC 602). The applicant is directed to file a representation against the impugned order of transfer to the D.R.M. (Res. 2) within seven days from to-day and the Respondent No.2 shall dispose of the same within three weeks thereafter by a speaking and reasoned order. The D.R.M. shall go through the contentions of the applicant filed in this Application, a copy of which is forwarded herewith. Till the representation is disposed of by Respondent No.2, Annexures 4 and 5 dated 22.11.1996 and 4.12.1996 to this Application are hereby stayed.</p> <p>Learned counsel Shri D.R. Patnaik wants liberty for the applicant to appear in person before the Respondent 2 and explain his grievance. Respondent 2 is directed to afford the applicant an opportunity of being heard before disposing of the representation.</p> <p>With the above direction, this Application is disposed of at the admission stage itself.</p> <p>Hand over a copy of the order to the petitioner's counsel.</p> <p style="text-align: right;"><u>Arvind</u> MEMBER (ADMINISTRATIVE)</p> <p style="text-align: right;">Free COPY of the Order of 18.12.96 with O. A copy sent to all expds. by regd Post AD.</p> <p style="text-align: right;">Date 19/12/96 Arvind S. 19.12.96</p>