

10  
O.A.No. 287/1998.

ORDER DATED 08-05-2002.

The impugned order of transfer of the Applicant dated 13-4-1998 (Annexure-A/3) so far as it relates to the Applicant, is under challenge in this Original Application. The Applicant is a class IV employee working under the Respondents, as M.T.Fitter Grade/Group-II. He has been transferred from ARC Charibatia to ARC, New Delhi in order dated 13-4-1998 (Annexure-A/3).

None appears for the Applicant. Since this is a 1998 matter relating to transfer of a Class IV employee, where pleadings have been completed long ago, I have heard Mr. S.B.Jena, learned Additional Standing Counsel (Central) appearing for the Respondents and perused the records.

In the counter the Respondents have taken the plea that the order of transfer has been passed in public interest and as such, in view of the law decided by the Apex Court, the same should not be interfered. But nothing has been elaborated by the Respondents as to what was the public interest which warranted the Respondents to disturb a Class-IV employee to such a distance place more so, as alleged by the applicant in his Original Application, before completion of three years at ARC, Charibatia (Orissa). As such, the order of transfer dated 13-4-1998 at Annexure-A/3 so far as it relates to Applicant, is hereby quashed. As a consequence, the Respondents are hereby directed to bring forthwith the petitioner to ARC, Charibatia (Orissa). In case in the meantime

17

he has not been brought back to ARC, Charibatia (Orissa)  
in a routine manner.

In the result, therefore, this Original Application  
is allowed. No costs.

  
08/05/2002  
(MANORANJAN MOHANTY)  
MEMBER (JUDICIAL)

KNM/CM.

Free copies of final  
order dt. 8.5.02  
issued to counsel  
for both the sides.

DS  
27/5/02

PM  
S.O.D