

(A)
FORM NO.4

(See Rule 12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Application No. OA 593 of 1998

Applicant (s) Jaya Narayan Das Respondent (s) UOI 808

Advocate for Applicant (s) M/s. S.K. Patnaik Advocate for Respondent (s) U.C. Mohanty

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

gpo for n50/- file

For regn pl.

By 17/11/98

Dy. Registrar

Further memo filed in the Court for Admn today on 18.11.98.

By 18.11.98

Dy. Registrar

By 18/11

For Admn pl.

By 18.11.98

Bench

J. Som

REGISTER

By Registrar

ORDER NO.1, DATED 18/11/1998.

This matter has been taken up today on being mentioned in the morning by the learned counsel for the Petitioner. Heard Shri S.K. Patnaik learned counsel for the Petitioner and Shri Ashok Mohanty, learned Senior Standing Counsel appearing for the Respondents. After hearing learned counsels for both sides, we feel that the OA can be disposed of at the stage of admission after giving appropriate direction to the Respondents in the light of the submissions made by learned counsels for both sides.

The facts of this case are that the petitioner is working as Jr. Engineer in the office of the Asst. Engineer, Telecom Electrical Sub Division I Bhubaneswar who was working in Calcutta and in order at Annexure-1 he was transferred to Balasore in May, 1995. In July, 1995, he was transferred to Bhubaneswar on his own request and joined at Bhubaneswar in pursuance of the order at Annexure-2. In order at Annexure-4 he has been

Order of. 18.11.98

A copy of order
may be given to both
the carnels.

AD
20-11-22

20.11.98
S.O. (T)

Received copy

Handwritten signature

20/11/98.

Received at
at 1811 88 on behalf of
Mr. A. Mohanty & Co.
Suburban / and
26/11/94

Dr. H. 18-11-98

A copy of order with copy of notice may be sent to all respondents by regd. post/A.D.

2/12/98

03.12.98
S-O. (J)

transferred as such to the Office of the Telecom Engineer, Sub Division I, Sambalpur and one Shri H. Padhy, Junior Engineer has been posted in his place. Apparently he has been posted in place of the petitioner on the request of Shri Padhy. It is submitted by the learned counsel for the petitioner that he has been transferred in the midst academic session and he has a school going child whose education will be hampered. His mother is also suffering. In view of this he has prayed in this OA for cancellation of the order of transfer and by way of interim order, he has prayed that the transfer order should be stayed. From the submissions made by the learned counsel for the petitioner we note that the petitioner is currently on leave from 11.11.1998. It is submitted by the learned counsel for the petitioner that there are vacancies of Jr. Engineers in other Telecom Sub Divisions at Bhubaneswar. In view of this, the petitioner is directed to file a representation before the Respondent No. 3 within five days from today praying for adjusting him in one of the vacant posts at Bhubaneswar till May, 1999. Respondent No. 2 ~~should~~ is directed to consider and dispose of his representation within a period of ten days from the date of receipt of the same with a reasoned order and intimate the result to the petitioner within another five days thereafter. Till then the petitioner may be allowed to remain on leave subject to leave being at his credit. With the above directions, the OA is disposed of. Copy of this order be given to learned counsels for both sides and send to the respondents.

VICE-CHAIRMAN

MEMBER(JUDICIAL)