

Order of 29.7.99

Copies of Order may be given to both the counsels.

Recd
8-9-99
S.O.(J)

29.7.99

This matter has been fixed to-day for hearing on the question of interim relief. It is submitted by the learned counsel for the petitioner Shri S. Mohanty that the O.A. may kindly be taken up for final disposal. It is submitted by the learned Sr. Standing Counsel Shri A.K. Bose, that show cause to interim relief may be treated as counter to O.A. In view of this we have heard Shri S. Mohanty, learned counsel for the petitioner and Shri A.K. Bose, learned Senior Standing Counsel appearing for the respondents and also perused the records.

The petitioner is working as Stenographer in Regional Bio-fertilizer Development Centre, Bhubaneswar. In order dated 4.6.1999 enclosed to petition he has been transferred to Imphal for a period of 90 days. The applicant wants that this order of transfer should be stayed on the grounds mentioned in the O.A. It is submitted by the learned Sr. Standing Counsel Shri Bose and also it is mentioned in the showcause/counter that due to exigency of service the applicant has been transferred for a period of 90 days to Imphal. It is also submitted that there is no post of Stenographer in Imphal and after a period of 90 days, the applicant would be brought back to Bhubaneswar. We understand from the submission of learned counsel ~~for the~~ that the applicant has been relieved from the post of Stenographer, Bhubaneswar. Learned counsel for the petitioner is not able to indicate whether the applicant has joined ^{at} Imphal or not. In consideration of this, the Original Application is disposed of with a direction that after the applicant joined at Imphal in pursuance of order at Annexure-4 and after he worked there for 90 days, he should be brought back to his original post at Bhubaneswar. The above direction ^{stand as} will however, not be a bar on the respondents to bring back the applicant to Bhubaneswar, if they so like, before completion of 90 days at Imphal.

Hand over copies of orders to learned counsel for both sides.

VICE-CHAIRMAN

MEMBER (JUDICIAL)