

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Application No. OA 620 of 199 9Applicant (s) Manoj Kumar Bishri Respondent (s) U.O.I. EastAdvocate for Applicant (s) Mr. B.K. Sharma Advocate for Respondent (s)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

980 for as 50/- filed.

Defects removed.

K. Regn pl.

B.

15/12/93

Proposed
Secy (15/12/93)Copy served in Asc.
Hindustan case for Admn
copy.

For Admn pl.

B.

5.1.2000

Bench.

J. J.

By B. Panda
RegistrarOr. No. 1 dated 5.1.2000

This matter has been taken up to-day on being mentioned by the learned counsel for the petitioner in the morning. Seen the petition. Heard the learned counsel for the petitioner Shri B.K.Sharma and Shri B.Das, learned Addl. Standing Counsel, on whom a copy of the petition has been served. The grievance of the petitioner is that he joined the Directorate of Field Publicity, under the Ministry of Information & Broadcasting as a Peon in July, 1990 and worked as such in the Office of the Field Publicity Officer, Phulbani from July, 1990 to October, 1993. The applicant belongs to Phulbani District. Thereafter he was transferred to Baripada where he joined on 11.10.1993 and has been working there for the last more than six years. At Baripada he suffered from repeated attacks of Malaria and according to Certificate of Head of the Department of ~~Rx~~ Psychiatry-cum-Additional Superintendent Mental Health Institute, S.C.B. Medical College Hospital, Cuttack under whose treatment the applicant was, he is suffering from Schizophrenia Psychosis following repeated attack of Malaria. The applicant filed a representation to the Joint Director, Govt. of

NOTES OF THE REGISTRY

Free copy of
the order dt. 5.1.2000
may be given to
both counsels.

Babu
13/11

Pratap
13.1.2000
S.O.

Not to be sent
copy of the

Copy of the
order dt. 5.1.2000
with copy of
application sent
to all reports
by send. post.

Babu
17/11

Pratap
13.1.2000
S.O.

ORDERS OF THE TRIBUNAL

India, Ministry of Information & Broadcasting, West Bengal Region on 14.9.1999 as at that time there was no Joint Director stationed at Bhubaneswar, but no order has been passed on his representation. It is submitted by the learned counsel for the petitioner that now the Joint Director has been posted at Bhubaneswar. But even then his representation has not been looked into. In view of this, the applicant, in this petition has prayed for direction to Res.2 to transfer him from Baripada to Phulbani. The Tribunal cannot direct the departmental authorities to transfer a person from one station to another. ~~xx~~ This falls squarely within the domain of the departmental authorities. At the same time, the grievance of the applicant in this case appears to be genuine ^{and} ~~as~~ he is suffering from mental disturbance, ^{and} posting in his native place, where he will have greater ^{control} ~~attachment~~ with his family members might have beneficial effect on his mental health. In consideration ~~xxx~~ of the above facts, applicant is directed to ^{file} a representation before the Joint Director, Directorate of Field Publicity Bhubaneswar (Res.2) within a period of 15 days from to-day and Res.2 is directed to dispose of the said representation to be filed by the applicant within a period of 60 (sixty) days from the date of receipt of such representation through a speaking order and communicate the decision to the applicant within 15 days thereafter.

With the above observation and direction this O.A. is disposed of at the admission stage itself.

VICE-CHAIRMAN
5/11/2000

MEMBER (JUDICIAL)