



A

FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original

Application No. 178 of 2003

Applicant(s) B. B. Sarker Respondent(s) Union of India

Advocate for Applicant(s) M/s D. P. Dhal Advocate for Respondent(s)

G. B. Jena
B. B. Misra, R. Dash
D. K. Patnaik
P. K. Routguru

NOTES OF THE REGISTRY

2. P.O. for Rs. 50/- filed
For consideration
as per Memo -

2/4/03
Defects removed
for Regn. pl.

DR
Registrar

S.O/CC
B.R.
2/4/03

02.04.03

DR
2/4/03?

ORDERS OF THE TRIBUNAL

REGISTER

2/4/2003

Or. No. 1 dated 2.4.2003

On being mentioned, this matter has been taken up to-day.

Heard Shri G. B. Jena, learned counsel for the applicant and Shri R. C. Rath, learned Standing Counsel (on whom a copy of this O.A. has been served) appearing on behalf of the Respondents and perused the records.

The applicant, a Station Master under the S.E. Railway, Rairekhol, being subjected to transfer has approached this Tribunal without exhausting the remedy

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

available to him under the relevant service rules. Be that as it may, the applicant seeks intervention of this Tribunal with regard to order issued by the Respondents at Annexure-3 transferring him from Rairekhol Railway Station to Hatibari Railway Station, within a period of nine months of his posting to Rairekhol. The posting order also does not disclose the reason for this premature transfer of the applicant although his earlier transfer to the present place of his posting (Rairekhol) was ordered by the Respondents in kind consideration of his family circumstances as submitted by him to them vide Annexure-1. In the said premises, I think in the interest of justice, the applicant should submit a representation to the Respondents for reconsideration of his transfer, keeping in view their earlier decision to post the applicant to Rairekhol in consideration of his representation dated 20.9.2001 at Annexure-1. The Respondents will treat this O.A. as representation and dispose it of within a period of thirty days or earlier from the date of receipt of copies of this order. The Respondents should pass a reasoned order either for accepting or rejecting the representation.

This O.A. is thus disposed of at the admission stage itself. No costs.

Send copies of this order along with copies of this O.A. to Respondents and free copies of this order be handed over to the learned counsel of both sides.

Subh
VICE-CHAIRMAN 2/4