



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original Application No. 11 of 2004
Applicant (s) Charan Bauri Respondent (s) Union of India & Ors.
Advocate for Applicant (s) M/s S. B. Jena Advocate for Respondent(s)
S. B. Sahoo

NOTES OF THE REGISTRY

9. P. O. for Rs. 50/- fixed.
For Registration fl.

21/1/04

S.O. (J)

21/1/04

ORDERS OF THE TRIBUNAL

REGISTER

21.1.04
Registrar

1. ORDER DATED 27-01-2004.

Heard Mr. S. B. Jena, learned Counsel appearing for the Applicant and Mr. R. C. Rath, learned Standing Counsel for the Railways; on whom a copy of this petition has already been served.

Applicant, who came on transfer from Kharagpur to Sambalpur during May, 2003, having faced a transfer from Sambalpur to Bhubaneswar in November, 2003, has filed this Original Application under section 19 of the

DR

REGD 21.1.04

For Admission M.

Bench.

23-1-04

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dr. 27.01.04

Copies of order/
copies to be sent to
all respds. and copy
of order prepared
for counsels to
both side.

29/1/04

Par
29/1/04
Re (0)

Administrative Tribunals Act, 1985; after filing two representations under Annexure-2 dated 20th November, 2003 and Annexure-3 dated 23rd December, 2003. It appears that his representations have not yet been favourably looked into. Mid-academic transfer of the Applicant, who is a member of the Scheduled Caste Community, has given rise to the heart-burning. His Children's Education etc. are the grounds on which the Applicant raised his grievances; which ought to have been looked into by his authorities/Respondents. Transfer, although an incident of service, should always be properly examined for a healthy personal management and, therefore, we dispose of this O.A. at this admission stage, requiring the authorities of the Applicant/Respondents, to look into the grievances of the Applicant in its proper perspective by treating his averments made in this O.A. to be a part of his representations to the Respondents, ~~stated above~~. In the meantime, the Respondents should allow the applicant to continue at Sambalpur; notwithstanding, the impugned order of transfer under Annexure-1 dated 11-11-2003, until they take a decision in his representation/on his grievance. In all fairness, the Respondents should allow the Applicant to continue at Sambalpur atleast till the end of the present academic session.

Send copies of this order alongwith copies of this O.A. to the Respondents and

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free copies of this order be given to learned
counsel for both sides.

N.D. Dayal
(N.D. DAYAL)
MEMBER(ADMINISTRATIVE)

Manoranjan Mohanty
27/01/04
(MANORANJAN MOHANTY)
MEMBER(JUDICIAL)