



FORM No. 4

See Rule (12)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

## ORDER SHEET

Application No. O.A. 209 of 200 S-

Applicant (s) Rabindra Samal Respondent (s) Union of India & others

Advocate for Applicant (s) mls. Aswani Mishra Advocate for Respondent (s) J. Sengupta

D. K. Panda

G. Sinha

A. Mishra

### NOTES OF THE REGISTRY

I. P.O. of Rs. 50/-  
filed.  
copy served  
for favour of  
Registration as per  
memo dt. 24.5.05

24.5.05 S.O. (5)

24/5/05

Regn 24/5/05

For Adm. Secy &  
Stay - copy served.

24/5/05

### ORDERS OF THE TRIBUNAL

#### REGISTER

24/5/05

Registrar

#### Order dated 25.5.05

Heard Mr. A.K. Mishra, Ld. Counsel for the applicant.  
The applicant has filed this O.A. facing trans-  
fer from Bhubaneswar to Gauhati on administrative  
grounds.

His grievance is that in terms of the revised/transfer  
policy guidelines of Group A officer, in EPF issued  
by the Employees Provident Fund Organisation, Mini-  
stry of Labour, Government of India dt. 4.3.04  
(Annexure-A/2) tenure of an officer of the grade of  
APFC is prescribed for a period of four years,  
Whereas he had done less than three years on the  
date, his posting order at Annexure-3 was issued.

Notes of the Registry

Orders of the Tribunal

He had, therefore, submitted a representation to the Central Provident Fund Commissioner, Employees Provident Fund Organisation for his retention. It appears that immediately after filing the representation, the applicant has rushed to this Tribunal which strictly is not permissible without exhausting the departmental remedies and <sup>such</sup> grievances are not be entertained to be heard by this Tribunal.

However as the applicant has already filed representation addressed to the competent authority to consider his request for retention, it would be in fairness of things if the Respondents disposed of his representation in the first instance before asking him to take over the new position. It is also disclosed by the Id. Counsel for the applicant that the applicant is at present on leave. Be that as it may, we hereby direct the Respondents not to take any coercive action till the representation dtd. 18.5.65 filed by the applicant is disposed of with a speaking order.

A copy of this O.A. be also sent to the Respondents as a part of representation <sup>to</sup> for dispose it of.

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

A copy of this O.A. has already be served on Mr. G. Singh, Id. Addl. Standing Counsel appearing for the Respondents.

Member (J)

Vice-chairman

(1) Copies of order dt 25/5/65 issued to counsel for both sides.

(2) Copies of order dt 25.5.65 along with copies of O.A. issued to all the members by Reg. Secy / M.D.

24/5/65