



FORM No. 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH

ORDER SHEET

Application No. O.A. 207 of 2006

Applicant (s) Sri. Rajan Kumar Mishra Respondent (s) Union of India & Others

Advocate for Applicant (s) M/s. Primbasa Das Advocate for Respondent (s) S. Nayak

NOTES OF THE REGISTRY

I.P.O of Rs. 50/- filed.
Copy served,
For favour of Regi-
stration please as -
per memo

8.3.06

S.O. (J)

8/3/06

JO (J)

8/3/06

08.03.06

For Admission with
Interim order.
Copy served.

8.3.06

Bench

ORDERS OF THE TRIBUNAL

REGISTER

Dy. Registrar 08.03.06

ORDER DATED: 09.03.2006

Applicant, who is continuing as a Goods Guard at Paradeep, has been granted promotion as Sr. Goods Guard under Annexure-A/4 dated 09.02.2006. In the said promotion order, he has been asked to join the promotional post at Palasa. Being aggrieved by his posting at Palasa, the Applicant has filed a representation to the Sr. Divisional Operations Manager of Khurda Road Railway Division of East Coast Railways under Annexure-A/5 dated 26.02.2006.

2. Heard Mr. B. Dash, Ld. Counsel appearing for the Applicant and Mr. R.C.Rath, Ld. Standing Counsel

for the Railways; on whom a copy of this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985 has already been served and perused the materials placed on record. It appears, the Applicant has got more genuine difficulties at his family. His children are prosecuting studies at Cuttack and his old ailing parents are there with him. In the said premises, his transfer to outside Orissa may put him in difficulties. The Ld. Counsel for the Applicant has pointed out, in course of hearing, that post of Sr. Goods Guards are available vacant at Paradeep and also at Cuttack and Khurda Road. Who will be posted where in a Government service is subject to exclusive discretion of the competent authorities. Since the Applicant has represented to the authorities ventilating his grievances; this O.A. is hereby disposed of with direction to the Respondents to look to the grievances of the Applicant and grant him necessary relief by end of March, 2006.

3. With the aforesaid observation and direction, this O.A. stands disposed of at admission stage. Until a decision is taken on the representation, the Applicant need be allowed to continue at Paradeep.

4. Send copies of this order to the Respondents, along with copies of the Original Application, at the cost of the Applicant. Mr. Dash, Ld. Counsel appearing for the Applicant undertakes to deposit the required postages for issuance of copies to Respondent Nos. 1 and 5 and by one set of 'Special Messenger' to Respondent Nos. 2,3 and 4 for immediate transmission of

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

this order and copies of the Original Application to the Respondents.

Free copies of this order be also supplied to Mr. B.Dash, Ld. Counsel appearing for the Applicant and to Mr. R.C.Rath, Ld. Standing Counsel for the Railways.

MEMBER (JUDICIAL)

09/03/06

Copies of order dt 9/3/06
issued to the counsel for
both sides.

dh
9/3/06.

Copies of order
on 09.03.06 sent to
R-1 & 5 by Regd. post
and to R-2 to 4 by
spl. messenger.

h
10/02/06

dh
10/3/06
S.O. (H)

Recd. Rs. 260.00 (200 + 60)
towards cost of spl. messenger for
R-2, 3 & 4.

Rd-1 (B. Boy)
cashier
10.3.06