

O.A.NO.313 OF 2006

ORDER DATED 19.11.07

Applicant challenges the order dated 28.03.06 whereby he has been transferred from Bantala to R.K.Nagar.

2. The respondents while rejecting the representation of the applicant have stated that the reasons for challenge do not justify the cancellation of the transfer order, thus the applicant carries transfer liability within the Dhenkanal Division and that computer training is important to almost all the officials.

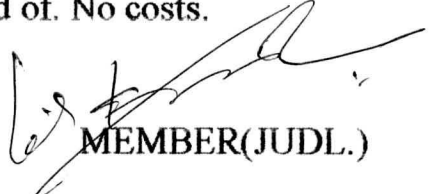
3. The applicant in course of argument highlighted some of his domestic problems whereby his posting in or around Angul would enable him to perform his social obligations of looking after his family in addition to performing his duties. The respondents have been so far sympathetic in ^{ac}exceeding to the request except in the last occasion. It has been stated by the Counsel for the applicant that the applicant has already moved to R.K.Nager despite his domestic problems but only request^d that his application be considered sympathetically in the case of rotational transfer.

4. The Counsel for the Respondents ^{relied on the} ~~have filed~~ counter as well as the rejection letter dated 08.05.06 (Annexure-R/1) justifying the stand of the respondents.

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5. Arguments were heard and documents perused. True, the applicant has divisional transfer liability and accordingly he has already moved to the new duty station. However, if only the reasons for his transfer as contained in paragraph-6 of the counter are taken into account, the transfer itself becomes punitive justifying even quashing of the transfer. However, since the applicant's Counsel has been fair to make a request for consideration of applicant's case for transfer back to Angul, the Tribunal feels that interest of justice and administrative convenience would be met if direction is given to Res.No.3 namely Superintendent of Post Offices, Dhenkanal Division to consider ^{at the time} ~~in a case~~ of rotational transfer the application of the applicant for his being posting either at Angul or any other nearby place.

7. With the above direction, this O.A. is disposed of. No costs.


MEMBER(JUDL.)