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O.A. No. 682 OF 2006.

Order dated 21.03.2007.

Applicant, having ^{been} transferred from Cuttack to Jeypore under Annexure-A/1 dated 17th August, 2006, preferred an appeal to retain him at Cuttack till the end of the academic session; for his daughter is a student of Class X in Cambridge School at Cuttack. The said grievance of Applicant having been turned down under Annexure-A/4 dated 12/13.09.2006, he has approached this Tribunal in the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985 with request to annul the order of transfer and the order of rejection of his appeal and/or in alternative for a direction to the Respondents to keep the order of his transfer in abeyance till the end of March-April, 2007.

On 26.09.2006, while issuing notice to the Respondents (calling upon them to file their reply by 10.10.2006), this Tribunal, as an ad interim measure, directed the Respondents not to relieve the Applicant. Thereafter, the Respondents have sought time to file counter ^{and} the stay order was allowed to continue. J.S.

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Heard Mr. D.P.Dhalsamant, Learned Counsel appearing for Applicant and Mr. P.R.J.Dash, Learned Additional Standing Counsel appearing for the Respondents.

At the very out set, it has been submitted by Mr. Dhalsamasnt, Learned Counsel for the Applicant, that since the Class X final examination of the daughter of Applicant has already been over, he has no objection to go on transfer by the end of March, 2007. Learned Additional Standing Counsel has no objection for disposal of this case in terms of the submissions of the Learned Counsel for the Applicant.

In the above view of the matter, the Respondents are free to relieve the Applicant, pursuant to the order of transfer under Annexure-A/1, at the end of this Month so as to enable him to join at his new place of posting.

With the above observations and directions, this OA stands disposed of. No costs.

B.P.
MEMBER(A)

Yohans
21/03/07
VICE-CHAIRMAN