

OA NO. 521/02

Order dated 30.9.2002

At the request of both the parties adj. to 01.10.02.

Member (5)

Order declared 1.10.02

Heard both sides at length. Hearing is concluded. For the reasons to be recorded separately, this O.A. is dismissed. No costs.

John
Vice-Chairman (T)
Member (5)
Member (CT)

Later: 1.10.02

Applicant, Bhimsen Padhy, while working as Assistant Post Master (Accounts) of Jeypore (Koraput) Head Post Office faced a transfer as Accountant to Rayagada H.O. under Annexure-1 dated 13.5.2002. By raising a claim that by the impugned order of transfer under Annexure-1 dated 13.5.2002, he is facing a cadre transfer from the Post of Asst. Post Master (Accounts) to that of Accountant, the Applicant has filed the present Original Application under Section 19 of the Administrative Tribunals Act, 1985.

While issuing notices to Respondents on 17.6.2002, ad-interim stay of the said transfer order was granted; which was extended from time to time on 2.7.2002, 16.7.2002, 16.8.2002,

1) Rejoinders to the Counter of Art 103 filed. Copy served.

2) The Postal authority has informed that they will inform us shortly (Regd. R-4)

3) For further confirmation of transfer order.

Bench

M
9.9.02

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Copy of order dt. 9.11.02
issued to the counsel
for both side.

By
S.O. 13/9/02

1) Final report
from postal
authority reg. S. O.
of notice of an R.L.
not received.

2) For further
continuance of
interim relief.

By
27/9/02

copy of order dt. 1-10-02
issued to the counsel
for both side.

By
S.O. 7/10/02

By
7/10/02

11.9.2002 and on 30.9.2002. By filing a
counter the Department has explained that the
Applicant, by the impugned order of transfer,
has not faced a cadre transfer. It has been
placed on record (as Annexure-R/1 and
Annexure-R/2) that the Applicant virtually
opted to remain in a particular cadre; from
which he has not been disturbed as yet.

Having heard Shri P.K. Padhi, Advocate for
the Applicant and Shri A.K. Bose, Senior
Standing Counsel appearing on behalf of the
Respondents and having perused the materials
available on record, we are satisfied that the
Applicant has really not faced any cadre
transfer. In the said premises, this O.A. is
dismissed; but, however, without any order
as to costs.

By
VICE-CHAIRMAN 13/9/02

By
MEMBER (JUDICIAL)

01.10.2002