

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original Application No. 71 of 2002

Applicant (s) Babajee Das Respondent (s) Learned Qz. India sevtha

Advocate for Applicant (s) M/s N. C. Pati Advocate for Respondent (s)

A. K. Mohapatra

S. Misra

S. Toppalay

N. Seigh

A. K. Panda

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

I.P.O/B.D. for Rs.50/- filed
For Registration please.

on memo

P
S.O
12/2/02

12/2/02

For Admission & Information
order - copy served.

Bench

12/2/02

REGISTER

M/12/2002
Registar

1. ORDER DATED 12-02-2002.

Heard Shri N. S. Singh, learned counsel for the Applicant and Shri R. C. Rath, learned ASC appearing for the Respondents.

The applicant who stands transferred from Store/BDPK to AXEN/RRD/RCTC by Respondents order dated 15-1-2002 (Annexure-1) has come up before us seeking a direction to be issued to the Respondents to relieve him and to allow him to join his new assignment at Raghunathpur. A copy of the aforesaid transfer order has not been officially served on the Applicant, who has come to know about his transfer from informal sources and has also obtained a copy of the

20A-71102

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

free copy of
the order dt. 12.2.02
given to the both
counsel.

~~For the respondents~~
13/2

P.P.
S.O

free copy of
the order
dt. 12.2.02 with
O.A. copies sent
to all respondents
by post.

~~For the respondents~~
13/2
S.O

transfer order which has been placed at
Annexure-1.

Learned counsel appearing on behalf of
Respondents, who has accepted notice on this
O.A. argues that the present Original Application
should be dismissed as premature as the applicant
has not sought departmental remedy in the matter
in accordance with Sec. 20 of the Administrative
Tribunals Act, 1985.

We have considered the matter and find
that even if the departmental remedy has not
been sought in the manner argued by learned
counsel for the Respondents, it will be in
order and in the interest of justice and
fairplay if we, at this very stage, direct
the Respondents to consider the matter by
treating the present O.A. as a representation
made on behalf of applicant and take steps to
relieve the applicant expeditiously. In the
alternative, the Respondents are directed to
pass a reasoned and speaking order in the
matter and communicate the same to the
Applicant within a maximum period of one
month from the date of receipt of a copy
of this order.

The O.A. is disposed of with the
observations and directions made above. No costs.

Manoranjan Mohanty
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

S.A. Rizvi
(S.A. RIZVI)
MEMBER (ADMN.)

KNM/CM