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O.A. No. 213 of 2008

Order dated: 29.05.2008

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. B.S.Tripathy, Ld. Counsel for the applicant. A copy of this O.A. has already been served on Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel for the Respondents.

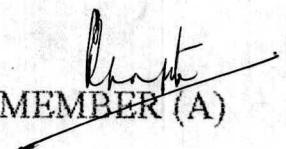
Mr. B.S.Tripathy, Ld. Counsel appearing for the applicant submits that the applicant was working as a Sweeper in the Income Tax Office at Cuttack and has been transferred to Rourkela. His contention is that being a low-paid Group D employee, the transfer has affected his family and also himself as he has been continuing with some treatment at Cuttack. He has also cited the decision of the Apex Court in the case of B.Varadha Rao vs State of Karnataka and others reported in AIR 1986 Supreme Court, page 1955 regarding special consideration to be given by the authorities while making transfer of Group C and D employees. He also submits that the applicant has filed a representation dated 8.05.2008 under Annexure-A/2 addressed to the Chief Commissioner of Income Tax to cancel his transfer to Rourkela. This representation appears to be pending. The applicant has since been relieved w.e.f. 15.5.2008 vide Annexure-A/4, In the circumstances, the Respondent No. 1 is <sup>directed</sup> to consider the representation and convey his decision to the applicant within a period of

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15 days from today and till then the status quo of the applicant would continue.

With the above observation and direction, the O.A. is disposed of at the admission stage. No costs.

A copy of this order be given to the Ld. Counsels appearing for both the parties.

  
MEMBER (A)