

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No. 744 of 2011
Cuttack, this the 13th day of July, 2012

Ashok DashApplicant
-Versus-
UOI & OrsRespondents

O R D E R

Coram:

The Hon'ble Mr.C.R.Mohapatra, Member (Admn.)
And
The Hon'ble Mr.A.K.Patnaik, Member (Judl.)

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Applicant having been transferred, in his present capacity as PA from Puri HO to Nayagarh HO vide order under Annexure-A/2 dated 29.10.2011 has filed this Original Application seeking to quash the said order of transfer. After receipt of notice, the Respondents have filed counter objecting to the prayer of the Applicant and praying that this OA being devoid of any merit is liable to be dismissed. Applicant has also filed rejoinder and Respondents have also filed reply to the rejoinder. Accordingly, this matter has been listed today for hearing.

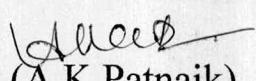


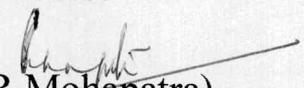
2. Miss. S.Mohapatra, Learned Counsel appearing for the Applicant, at the out set, submitted that during the pendency of this OA, the applicant has submitted representation seeking cancellation of his transfer from Puri to Nayagarh and due to *lis pendency* the said representation dated 14.11.2011 to the Director, Postal Services, Headquarters Region, O/O the CPMG, Orissa Circle, Bhubaneswar has not been considered till date and, therefore, she has submitted that she does not like to press the prayer made in this OA and her client would be satisfied if this OA is disposed of with direction to the Respondents to consider and dispose of the pending representation of the Applicant as at Annexure-A/4.

3. Heard and perused the documents. It is not in dispute that in compliance of the order of transfer at Annexure-A/2 the applicant has already been relieved from his place of posting i.e. Puri HO but has not reported to duty at Nayagarh HO till date. We find

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that the present transfer is in public/administrative interest and whenever transfer is made in public/administrative interest the Tribunal being not the appellate authority, we are not inclined to interfere in the matter. Notwithstanding the above, considering the submission of the Learned Counsel for the Applicant, we are not precluded to direct the Respondents to give consideration to the pending representation of the applicant and communicate the decision to him at an early date. Ordered accordingly.

This O.A. is accordingly disposed of. No costs.


(A.K.Patnaik)
Member(Judicial)


(C.R.Mohapatra)
Member (Admn.)