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OA No.82 of 2010

Bijan Das Applicant

Versus

Union of India & Others Respondents

Order dated:- 26th February, 2010

C O R A M
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

This Original Application has been filed by the Applicant challenging his transfer and posting mainly on the ground that the Respondents passed the order of transfer without considering his option exercised by him giving place of his choice to be posted in case of order of transfer is effected. His stand is that he exercised his option pursuant to the notice issued by the Respondents inviting such option. Further case of the Applicant is that in earlier occasion similar transfer orders were issued in respect of other employees without considering their options but subsequently the same were cancelled. Fact of the matter is that on being relieved he has already joined in his new place of posting. Thereafter, as it appears from the record by making representation under Annexure-A/8 dated 25.1.2010 he requested for change of his posting to any of his choices place of posting. But according to the Learned Counsel for the Applicant the said request of the applicant has not received consideration till date. In the above circumstances by filing he present OA he sought to quash the order under Annexure-A/6 and A/7 and to direct the Respondents to bring him back to his original place or to post him in his choices place of posting furnished by him through letter dated 23.10.2009.


Considered the various submissions put forward by rival parties and perused the materials placed on record, I am of the opinion that as the representation of the applicant is pending consideration, this Original

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Application can be disposed of with direction to the concerned authority to whom the representation ^{at Annex/A.8} is made to dispose of the same within a reasoned order and communicate the result thereof to him within a period of thirty days.

Ordered accordingly.

Send copies of this order to Respondent No.2 along within copy of the order. DA.


(C.R. MOHAPATRA)
MEMBER (ADMN.)