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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/0039 OF 2015
Cuttack, this the 30th day of January, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)

.....
Hemanta Kumar Singh,
Aged about 46 years,
Son of Basudev Singh,
Resident of Qtr No. type-II/36,
Census Colony, Baramunda, Bhubaneswar-3,
At present working as Asst. Director (T),
Office of the Director of census Operation,
Odisha, Bhubaneswar.

.....Applicant

Advocate(s)... Mr. Asim Amitav Dash

VERSUS

Union of India represented through

1. Registrar General, India,
(Ministry of Home Affairs),
2/A Man Singh Road, New Delhi-110011.
2. Under Secretary to Govt. of India,
Office of the Registrar General of India,
(Ministry of Home Affairs),
2/A Man Singh Road, New Delhi-110011.
3. Director of Census Operations, Odisha,
Janpath, Unit-IX, Bhubaneswar.
4. Saumyendranath Mitra,
Aged about 38 years,
S/o Late Birendranath Mitra,
Resident of House No. 69, Sector-I,
Niladri Bihar, PO- Sailasherr Vihar,
Bhubaneswar, Dist.- Khurda.

..... Respondents

Advocate(s)..... Mr. S. Barik

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O R D E R (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. A.A.Dash, Ld. Counsel for the applicant, and Mr. S.Barik, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

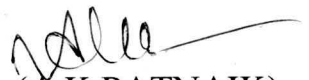
2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, challenging the order dated 19.01.2015, which has been issued in partial modification of order dated 06.01.2015, in which the he has been transferred from DCO, Odisha to DCO, Chhattisgarh in place of one Sri S. Mitra, i.e. Respondent No.4. On perusal of the record, I find that after the above order was issued on 19.01.2015, the applicant has not availed of the departmental remedy and, therefore, this O.A. in the present form, is not maintainable before this Tribunal. However, on the prayer made by Mr. Dash, Ld. Counsel for the applicant, two weeks time from today is allowed to the applicant to make any representation, if so advised, to the competent authority, i.e. Respondent No.2, and, if any such representation is preferred to Respondent No.2 within a period of two weeks from today then the same may be considered by Respondent No.2 within a period of eight weeks and the result be communicated to the applicant by way of a well reasoned order. Although, I have not expressed any opinion on the merit of the matter, however, it is directed that no coercive action will be taken against the applicant till the representation, if so preferred by the applicant, is considered and result communicated to the applicant.

3. With the above observation and direction, this O.A. is disposed of at the stage of admission itself.

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4. Urgent copies of this order be given to the Ld. Counsels appearing for the parties as per rules. Applicant is at liberty to enclose a copy of this order along with his representation to Respondent No.2.

5. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with the paper book be transmitted to Respondent Nos. 2 and 3 at the cost of the applicant, for which he undertakes to file postal requisites by 03.02.2015.


(A.K.PATNAIK)
MEMBER(Judl.)

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