

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00825 of 2015
Cuttack, this the 20th day of November, 2015

CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)

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Narayan Mohanty,
aged about 58 years,
S/o Late Dhadeswar Mohanty,
Resident of Vill- Damadaranali,
PO- Beltikiri, Dist- Dhenkanal,
At present working as Driver Grade-I,
O/o Executive Engineer, Investigation Division,
NWDA, F-24, BJB Nagar, Bhubaneswar-751014,
Dist- Khurda, Odisha.

...Applicant

(Advocates: M/s. K.C.Kanungo, C. Padhi)

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Union of India Represented through

1. Secretary to Govt. of India,
Ministry of Water Resources,
River Development and Ganga Rejuvination,
Shramashakti Bhawan, New Delhi-66.

National Water Development Agency represented through:

2. Director General,
NWDA, Community Centre,
SAKET, New Delhi- 17.
3. Chief Engineer (North),
NWDA, 193-F, Vishal Khand Gomati Nagar,
Luknow- 226010, U.P.
4. Superintendent Engineer,
Investigation Division, NWDA,
F-24, BJB Nagar, Bhubaneswar-751014,
Dist- Khurda, Odisha.
5. Executive Engineer,
Investigation Division, NWDA,
F-24, BJB Nagar, Bhubaneswar-751014,
Dist- Khurda, Odisha.

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6. Executive Engineer,
Investigation Division, NWDA,
601, 6th Floor, Estate Plaza,
Estate Timber Premises, Old H.B. Road,
Kantatoli, Ranchi-834001, Jharkhand.
7. Shri N.M.Bhutia, Driver Grade-I,
O/o Executive Engineer,
Investigation Division, NWDA,
F-24, BJB Nagar, Bhubaneswar-751014,
Dist- Khurda, Odisha.

(Advocate: Mr. S.B.Jena) ... Respondents

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O R D E R (ORAL)

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

Heard Mr. K.C.Kanungo, Ld. Counsel for the Applicant, and Mr. S.B.Jena, Ld. 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 in this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985 assails the order of his transfer No. 4/11/2015-Admn./15105-25 dated 09.11.2015 (Annexure-A/4) on the ground of gross violation of transfer guidelines under Annexure-A/1. It has been stated that although the private Respondent No.7 is having a longer period of stay still then the applicant has been deliberately transferred violating the transfer guidelines. We find from the record that ventilating his grievance the applicant has made a representation to Respondent No.2 on 17.11.2015, which is stated to be pending and till date he has not received any response from the said Respondent No.2 for which he has filed this O.A.

3. Mr. S.B.Jena submitted that there are only three vehicles whereas 5 Drivers are available in the Office, that is why the applicant has been transferred.

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4. In view of the aforesaid fact that the representation of the applicant dated 17.11.2015 is stated to be pending, without going into the merit of the matter, I dispose of this O.A. with direction to the Respondent No.2 to dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of two months. Though, we have not gone into the merit of the matter, all the points raised by the applicant in his representation are kept open for the Respondent No.2 to consider the same as per rules and regulations. We make it clear that status quo in respect of the continuance of the applicant shall be maintained till 01.03.2016.
5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.
6. On the prayer made by Mr. Kanungo, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 1 to 5 by Speed Post for which he undertakes to file the postal requisites by 24.11.2015.
7. Free copy of this order be made over to Mr. S.B.Jena.


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