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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK
O. A. No. 260/00896 OF 2015
Cuttack, this the 15th day of December, 2015

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)

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Pankaja Kumar Lenka, aged about 45 years, S/o. Haladhar Lenka, Plot No.918/6303, New Colony, Palasuni, PO-Rasulgarh, P.S. Mancheswar, Bhubaneswar-751010, permanent resident At/Po-Barunia, Via-Byree, Dist-Jajpur.

.....Applicant

(Advocate: M/s. D. Panda, D.P. Dhal, P. Priyambada)

VERSUS

Union of India Represented through

1. The Central Provident Fund Commissioner, Employees' Provident Fund Organization, Head Office, Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Place, New Delhi-110066.
2. The Regional Provident Fund Commissioner, Employees' Provident Fund Organization, Bhavishya Nidhi Bhawan, Unit-IX, Janpath, Bhubaneswar-751022, Dist-Khurda.
3. The Regional Provident Fund Commissioner-II & OIC Employees' Provident Fund Organization, Sub-Regional Office, 1st Floor, PAN Complex, Payal Cinema, New Bus Stand Road, Berhampur-760001.
4. The Regional Provident Fund Commissioner, Employees' Provident Fund Organization, 37 Royapettah High Road, Royapetta, Opp. Swagat Hotel, Chennai-600014.

... Respondents

(Advocate: Ms. S. Mohapatra)

ORDER (Oral)

A. K. PATNAIK, MEMBER (J):

Heard Mrs. P. Priyambada, Ld. Counsel appearing for the Applicant and Ms. S. Mohapatra, Ld. ACGSC, appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with a prayer to quash the order of transfer under Annexure-A/2 and to allow the applicant to continue at SRO, Berhampur or nearby station in the State of Odisha.

3. Mrs. Priyambada, Ld. Counsel submitted that due to non-consideration of the case of the applicant for the aforesaid relief, he submitted a representation dated 09.12.2015 (Annexure-A/3) before the Respondent No.1. It has further been submitted that till date no response has been received by the applicant on his representation. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

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4. Since the representation submitted by the applicant is stated to be pending, at this stage, without entering into the merit of the matter, we would direct Respondent No.1 to consider the representation dated 09.12.2015 (Annexure-A/3) and dispose of the same with a reasoned and speaking order to be communicated to the applicant within a period of three months from the date of receipt of copy of this order. Though we have not expressed any opinion on the merit of the case, we make it clear that all the points raised in the representation will be kept open for the Respondents for consideration as per the extant rules, regulations and law in force. However, it is ordered that status quo as on date so far the continuance of the applicant is concerned will be maintained until the representation is considered and disposed of.

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

6. On the prayer made by Mrs. Priyambada, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.1 & 2 by Speed Post for which Mrs. Priyambada undertakes to file the postal requisites by 16.12.2015.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)

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