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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/0034 OF 2016
Cuttack, this the 29th day of January, 2016

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

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Abhaya Kumar Sahoo,
aged about 47 years,
S/o late Bira Kishore Sahoo,
at present working as Upper Division Clerk
in the office of the Registrar of Companies,
Odisha, 3rd floor, Plot No. 9(P), Sector-1 C.D.A.-14.

.....Applicant

By the Advocate(s)-M/s. J.K. Khuntia, K. Ray

-Versus-

Union of India represented through it's

1. Secretary, Ministry of Corporate Affairs, Shastri Bhawan, 'A' Wing, 5th Floor, Dr. Rajendra Prasad road, New Delhi -110001.
2. The Regional Director (Eastern Region), Ministry of Corporate Affairs, 3rd floor, 2nd M.S.O Building, Nizam Palace, 234/4, A.J.C. Bose Road, Kolkata-700020.
3. The Registrar of Companies, Odisha, (Easter Region), Ministry of Corporate Affairs, Orissa, 3rd Floor, Corporate Bhawan, plot No. 9(P), Sector-1, CDA, Cuttack-753014.
4. The Assistant Director in the Office of the Regional Director(Eastern Region), Ministry of Corporate Affair, 3rd Floor, 2nd M.S.O Building, Nizam Palace, 234/4, AJC Bose Road, Kolkata-700020.

Respondents.

By the Advocate(s)- Mr. S.K.Patra

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ORDER (ORAL)

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

Heard Mr. J.K.Khuntia, Ld. Counsel for the Applicant, and Mr. S.K.Patra, 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. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

“a) To quash and/or set-aside the impugned transfer order in respect of the applicant bearing No. RD/CLA/1/89 (Vol.XI-2014)/6427-6449 dated 17.09.2014 passed by the Asst. Director-Respondent No-4 under Annexure-A/3 transferring the applicant from the office of the Regional Director (Eastern Region) Cuttack to Ranchi in gross violation of the office memo dated 22.02.2013 issued by the Under Secretary to the Government of India, Ministry of Corporate Affairs under Annexure-A/5 of this Original Application.

b) To pass an appropriate order directing upon the respondent-authority to allow the applicant to continue duty in the office of the Registrar of Companies-cum-Official Liquidator, Odisha at Cuttack.”

3. Mr. Khuntia, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant has made a representation to Respondent No.3 on 01.12.2015 vide Annexure-A/8, which is stated to be pending and till date he has not received any response from the said Respondent No.3 for which he has filed this O.A.


4. In view of the aforesaid fact that the representation of the applicant dated 01.12.2015 is stated to be pending, without going into the merit of the matter, we dispose of this O.A. with direction to the Respondent No.3 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 from the date of receipt of a copy of this order. 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.3 to consider the same as per rules and regulations. We make it clear that till the representation is considered and disposed of and result communicated to the applicant, status quo as on date in respect of continuance of the applicant will be maintained.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Khuntia, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 3 by Speed Post for which he undertakes to file the postal requisites by 02.02.2016.


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

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