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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO.314 OF 2012

Cuttack this the 18<sup>th</sup> day of April, 2012

CORAM:

HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER

Smt.A.Jena...Applicant

-VERSUS-

Union of India & Ors. ...Respondents

ORDER

Heard Shri B.N.Mohapatra, learned counsel for the applicant and Shri S.Barik, learned Addl.Standing Counsel representing the Respondent-Department, on whom a copy of this O.A. had already been served on 17.4.2012.

Applicant at present working as Postal Assistant, Korai Sub Post Office, aggrieved with the order of transfer as at Annexure-A/2 dated 13.04.2012 has moved this Tribunal for quashing the said transfer order.

It is the case of the applicant that apart from facing frequent transfers in the past the applicant has again been subjected to transfer to Jajpur H.O. as P.A. vide order dated 13.4.2012 (Annexure-A/2). This order, according to applicant, will affect the academic career of her son. It is the further contention of the applicant that the normal tenure of the applicant is four years and since she joined at the present place of posting only on 3.8.2009, this period of four years has not yet expired. In the aforesaid circumstances, the transfer of the applicant is not justified. Besides the above, Shri Mohapatra, learned

counsel for the applicant further submitted that the applicant had sought transfer to an office in Jajpur Road due to personal reasons.

According to him, there being a clear cut vacancy in Jajpur Road RSMDG applicant has preferred a representation as at Annexure-A/5 addressed to Respondent No.2 which is still pending.

Shri S.Barik, learned ASC, who has received copy of the O.A. only yesterday does not have any information/instruction regarding relief of the applicant or about the vacancy position or possibility of adjusting the applicant in a nearby place at Jajpur Road. Therefore, Shri Barik seeks time to obtain instructions in the matter.

In view of this, issue notice to Respondents returnable in four weeks. Counter, if any, shall be filed within four weeks thereafter.

As an interim measure, it is directed that the order of transfer at Annexure-A/2 dated 13.04.2012 shall be kept in abeyance for a period of 15 days during which time, learned ASC Shri Barik shall obtain instruction and file reply/objection to the interim order so issued.

Put up this matter on 7.5.2012 for considering further continuance or otherwise of the interim order..

On the prayer made by Shri Mohapatra, notice along-with copy of this order be sent to Respondent No.2 by Special

5  
Messenger at the cost of the applicant. Notice to Respondent No.1  
along with copy of this order be sent by the Registry.

Copies of this order be made over to the learned counsel  
for the parties.

  
~~ADMINISTRATIVE MEMBER~~