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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

O.A. No.131/2013
Dated this the 15th day of March, 2013

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)

Jitendra Kumar Aluk, aged about 33 years, S/o. Late benudhar Aluk, At-Patalia, PS-Gop, Dist-Puri at present working as Technician (Electrical), Gr.I, Carbon Area-Elect, Nalco Smelter Plant, Angul

...Applicant
By Advocate:Mr.B.S.Tripathy

-VERSUS-

1. Union of India represented though the Secretary, ministry of Steel and Mines, Central Secretariat, Shastri Bhawan, New Delhi
2. Chairman-cum-Managing Director, National Aluminum Company Ltd., Corporate Office, Nalco Bhawan, Nayapalli, Bhubaneswar, Dist-Khurda-751 061
3. The General Manager, Smelter Plant, Nalco, At/PO-Nalco Nagar, Dist-Angul-759145
4. Asst.General Manager (HRD), Smelter Plant, Nalco, At/PO-Nalco Nagar, Dist-Angul-759145

...Respondents
By Advocates: Mr.M.K.Mishra
Mr.D.K.Pattanaik

ORDER(Oral)

SHRI R.C.MISRA, MEMBER(A)

Heard Shri B.S.Tripathy, learned counsel for the applicant, Shri M.K.Mishra, learned Senior Advocate for the Respondent-NALCO and Shri U.B.Mohapatra, learned Senior Central Govt. Standing Counsel appearing for Respondent No.1.

2. Case of the applicant is that he has been transferred to Chennai by an order of Nalco Authorities dated 28.3.2013. In the O.A. applicant has averred that he has made a representation to Respondent No.3 on 1.3.2013 ventilating his grievance and requesting him to cancel the order of transfer.

However, no action has yet been taken on his representation. The learned Senior Counsel Shri M.K.Mishra representing the Respondents stoutly

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opposed the claim of the applicant mentioning that transfer is a routine matter and same being the terms and conditions of his employment, it should not be interfered with. He has also submitted that the applicant has not made any representation to the appropriate authorities for canceling the order of transfer. In the end it has been submitted by Shri Mishra that the applicant has in the meanwhile been relieved. This is countered by Shri B.S.Tripathy, by submitting that the applicant has not yet been relieved as he is on leave.

3. However, basing upon the averments made by the learned counsel for the applicant, I dispose of this O.A. with direction to Respondent No.3 to dispose of the representation of the applicant, if it is pending, within a matter of week from to-day. It is also directed not to give effect to the order of transfer till the applicant is heard and his representation is disposed of.

4. With the above observation and direction, this O.A. is disposed of at the stage of admission. No costs.

5. Send a copy of this order along with paper book to Respondent No.3 and free copies of this order be made over to the learned counsel for both the sides.


MEMBER(A)