

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A. No.37 OF 2013

Cuttack, this the 30th day of January, 2013

CORAM

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

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

Pramod Kumar Nath, aged about 48 years, S/o. Late B.S. Nath, Vill-Sindurpank, PO-Dhanupali, Dist-Sambalpur, presently working as MTS Sambalpur H.O., At/Po/Dist-sambalpur.

.....Applicant

(By Advocate(s): M/s D.P. Dhalsamant, N.M. Rout)

VERSUS

Union of India represented through

1. Director General of Posts,
Govt. of India,
Ministry of Communications,
Department of Posts,
Dak Bhawan,
Sansad Marg,
New Delhi-110001.
2. Chief Post Master General,
Odisha Circle,
Bhubaneswar,
Dist-Khurda-751001.
3. Director Postal Servoces,
Sambalpur Region,
At/Po/Dist-sambalpur-768001
4. Superintendent of Post Offices,
Sambalpur Division,
At/Po/Dist-sambalpur-768001
5. Assistant Superintendent of Post Offices (I/C),
Baragarh Sub-Division,
At/Po/Dist-Baragarh
6. Post Master Sambalpur H.O.
At/Po/Dist-Sambalpur-758001

..... Respondents

(By Advocate: Mr. U.B. Mohapatra)

ORDER (Oral)

MR. A.K. PATNAIK, MEMBER (J):

Heard Mr. D.P. Dhalsamant, Ld. Counsel appearing for the applicant and Mr. U.B. Mohapatra, Ld. Sr. CGSC appearing on behalf of the Respondents, on whom a copy of this O.A. has already been served and perused the materials placed on record.

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A.K. Patnaik

2. Applicant has filed this O.A. challenging the order of transfer vide order dated 21.01.2013 (Annexure-A/7) in which the applicant has been re-allotted to the unit of ASP(I/C) Bargarh Sub Division. Mr. Dhalsamant, Ld. Counsel submitted that against the order of transfer dated 21.01.2013 the applicant has already made a representation dated 22.01.2013 (Annexure-A/8) to the Director Postal Services, O/O-Post Master General Sambalpur Region, Sambalpur (Respondent No.3) which has not yet been disposed of. Mr. Mohapatra, Ld. Sr. CGSC has no instruction regarding the present status of the said representation made by the applicant to Respondent No.3.

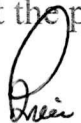
3. In view of this, at this stage, without entering into the merit of the case and as agreed to by the Ld. Counsel for the parties, we direct Respondent No.3 to consider the representation dated 22.01.2013 vide Annexure-A/8, if it is till pending before him, and communicate the result to the applicant by way of a reasoned & speaking order by 20.02.2013.


4. However, ~~as~~ the applicant has stated that being a Group 'D' employee, if during the mid academic session of his son the transfer is effected, he will face lot of difficulties. Hence Mr. Dhalsamant prayed, by way of an interim order, to stay the operation of the order of transfer dated 21.01.2013. But we are not inclined to pass any stay order. However, we direct, the status quo in respect of the applicant will be maintained till 08.03.2013.

5. With the above observation and direction, this O.A. stands disposed of at the admission stage itself.

6. Send copy of this order along with paper books to Respondent No.3 (at the cost of the applicant) for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

7. Sri Dhalsamant, Ld. Counsel for the applicant undertakes to deposit the postal requisite within a period of two days.


(R.C. MISRA)
MEMBER(ADMN.)


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