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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.NO.75 of 2013

Cuttack this the 21st day of February, 2013

CORAM

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

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

Dr.Mrs.Sabita Satapathy, aged about 46 years., W/o. Dr.Pranabesh Panda, K-21/B, Traffic Colony, jatni, Khurda – presently, Sr.Divisional Medical Officer (SG), Divisional Railway Hospital, East Coast Railway, Khurda Road, Jatni, Khurda

...Applicant

By the Advocates:M/s.A.A.Das

-VERSUS-

Union of India represented through

1. The General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar, Khurda
2. The Chief Personnel Officer, East Coast Railway, Chandrasekharpur, Bhubaneswar, Khurda
3. Divisional Railway Manager, East Coast Railway, Khurda Road Division, Jatni, Khurda
4. Chief Medical Superintendent, Divisional Railway Hospital, East Coast Railway, Khurda Road Division, Jatni, Khurda
5. Divisional Railway Manager (P), East Coast Railway, Khurda Road Division, Jatni, Khurda
6. Dr.Pranabandhu Sahoo, SAG, ACMS (Physician), Divisional Hospital, E.Co.Railway, Sambalpur, Odisha

...Respondents

By the Advocates:Mr.T.Rath

ORDER

SHRI A.K.PATNAIK, MEMBER(J)

Heard Shri A.A.Das, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel appearing for the Respondent-Railways.

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2. This O.A. has been filed challenging the orders dated 7.2.2013 and 8.2.2013 (Annexure-A/1 series) issued by the Chief Personnel Officer and Divisional Railway Manager (Respondent Nos. 2 and 3) respectively in transferring the applicant from Divisional Railway Hospital, Khurda to Koraput Health Unit, E.Co.Railway. However, from the charge report dated 8.2.2013 (Annexure-A/2) it is crystal clear that the applicant has relinquished the charge of the post of Sr.DMO/KUR on 8.2.2013. Accordingly, CUG No.8435887509 have been handed over to OS/CMS/KUR.

3. It appears that ventilating her grievance, applicant has submitted a representation dated 11.2.2013 (Annexure-A/8) to the General Manager(Respondent No.1) praying therein for cancellation of the transfer order.

4. Shri Das, learned counsel for the applicant submitted that the grievance of the applicant more or less would be met if Respondent No.1 is directed to consider and dispose of the pending representation within a specific time frame.

5. We find that the representation has only been made by the applicant on 11.2.2013 and soon thereafter, the applicant has moved the Tribunal on 14.2.2013. Therefore, it is too early for us to direct Respondent no.1 for disposal of the representation. However, taking into consideration the arguments advanced by Shri Das, more particularly, the difficulties faced by the applicant being a lady and her husband being posted to somewhere else and the son who is in the

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midst of academic session, we feel it proper to consider the matter sympathetically.

6. Accordingly, we direct Respondent no.1 to consider and dispose of the representation of the applicant as aforesaid within a period of thirty days from the date of receipt of this order. Till then status quo of the applicant as of date shall be maintained.

7. With the above observation and direction this O.A. is disposed of.

Send a copy of this order along with copy of the paper book to Respondent No.1 for compliance.

R.C. Misra
(C.R. MISRA)
MEMBER(A)

BKS

A.K. Patnaik
(A.K.PATNAIK)
MEMBER(J)