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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 738 of 2013

Cuttack the 6th day of November, 2013

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

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Prabhat Kumar Sarangi aged about 38 years, S/o. Balaram Sarangi presently working as Senior Section Engineer (Elect.) (General), At-33 KV, Sub Station Rotary Colony, East Coast Railway, Khurda Road, Khurda, District-Khurda, Odisha.

...Applicant

(Advocates: M/s.Saswati Mohapatra, T.P.Tripathy)

VERSUS

Union of India Represented through -

1. The General Manager, East Coast Railway, Rail Sadan, Samanta Vihar, Po. Mancheswar, Bhubaneswar, Dist. Khurda.
2. Senior Divisional Electrical Engineer (G), East Coast Railway, Khurda Road, At-DRM Building, Po.Jatani, District-Khurda.

..... Respondents

(Advocate:)

O R D E R

Oral

A.K. PATNAIK, MEMBER (JUDL.)

The grievance of the applicant in this Original Application filed under section 19 of the Administrative Tribunals Act, 1985 is that on consideration of his representation the competent authority vide order dated 10.06.2013 transferred him from the Office of the Sr. DEE (G)/KUR to the Office of the Dy. CEE/Workshop/MCS,BBS. Despite passage of more than three months the Respondent No.2 did not relieve him from his present place of posting so as to report in ^{new} new place of posting i.e. in the Office of

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the Dy. CEE/Workshop/MCS, BBS. Thus, his prayer in this OA is to direct the Respondent No.2 to relieve him from his present place of posting.

2. A Resolution has been made and communicated by the CAT Bar Association in letter dated 4.11.2013 to the extent as under:


“In continuation to our earlier resolution dated 27.9.2013, 1.10.2013, 03.10.2013, 07.10.2013, 10.10.2013, 22.10.2013, 25.10.2013 and 31.10.2013, the General Body meeting of CAT Bar Association unanimously resolved to abstain from Court work till 11.11.2013”

3. In the above premises, none is present for either of the parties. However, the Applicant (Shri Prabhat Kumar Sarangi) is present in Court today and sincerely prayed that in view of the urgency the matter may be taken up today. Accordingly, I have heard him and with his aid and assistance perused the materials placed on record. It appears that the order of ~~transfer~~ was issued by the competent authority on the request of the applicant without any transfer benefits. Therefore, in pursuance of the order of transfer, the applicant should have been relieved from his present place of posting. But is not forthcoming as to why the applicant has not been relieved till date. At this stage, especially, in view of the absence of the Learned Standing Counsel for the Railway, the impediment to relieve the applicant is not forthcoming. However, if there is any impediment to relieve, Respondent No.2, in compliance of the order of transfer, should have given in writing to the Applicant. In view of the above, this OA is disposed of with direction to the Respondent No.2, to relieve the applicant, in compliance with the order

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of transfer dated 10.06.2013, within a period of seven days from the date of receipt of copy of this order, subject to completion of the requirements, as provided under the Rules. No costs.

4. Applicant is at liberty to produce copy of the order before the Respondent No.2, who on receipt of the order, shall do well to comply with the order within the stipulated period as directed as above.


(A.K.Patnaik)
Member (Judicial)