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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 756 OF 2013
CUTTACK, THIS THE 13th DAY OF November, 2013

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

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Mahab Chandra Khatua, aged about 58 years,
Son of Late Chaitanya Khatua,
at present working as a Telephone Mechanic,
under S.D.O.T., Nuapada,
At/PO/Town/Dist-Nuapada, Odisha,
Permanent resident of At/PO/PS-Komna,
Dist-Nuapada, Odisha.

.....Applicant

Advocate(s)-M/s- N.R. Routray, T.K. Choudhury, S.K. Mohanty, Mrs. J. Pradhan.

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Union of India represented through

1. The Secretary Ministry of Communication,
Department of Tele Communication,
Sanchar Bhawan, New Delhi-110001.
2. Chief General Manager (Telecom),
Odisha Circle, Bhubaneswar-751001.
3. District Telecom Manager,
Bharat Sanchar Nigam Limited,
Bhawanipatna, At/PO/Town-Bhawanipatna,
Dist-Kalahandi.
4. Sub Divisional Officer Telecom,
Nuapada, At/PO/Town/Dist-Nuapada.
5. Sub Divisional Officer Telecom,
Kesinga, At/PO/Town-Kesinga, Dist-Nuapada.

..... Respondents

Advocate(s).....

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ORDER (ORAL)

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

The applicant aged about 58 years at present working as
a Telephone Mechanic under SDOT, Nuapada, has filed this O.A.

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under Section 19 of the Administrative Tribunals Act, 1985 seeking to quash the order of transfer dated 04.11.2013 in which the applicant was transferred from his present place of posting to Kesinga mainly on the ground that he has not completed his tenure as provided in the transfer policy issued by the Respondents.

2. A resolution has been made and communicated by the C.A.T. Bar Association to the extent as under:

“As per the resolution dt. 13.11.2013 of C.A.T. Bar Association, it is unanimously decided to abstain from Court work till 15.11.2013 i.e. including 15.11.2013”.

In view of the above, Ld. Counsel for either side is not present. Perused the materials placed on record.

3. I find that in the order dated 04.11.2013 the applicant while working as Phone Mechanic, Telephone Exchange Nuapada under SDOT, Nuapada has been transferred to Telephone Exchange Mohangiri under SDOT, Kesinga and being aggrieved he has submitted representation to Respondent No. 3 praying for his retention at present place of posting and, according to the applicant, he has not received any reply thereon. Due to the abstention from Court work by the lawyers it is not ascertained whether the applicant has been relieved from his present place of posting.

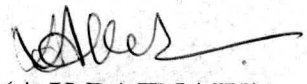
4. In the above premises, I dispose of this O.A., without expressing any opinion on the merit of the matter, with direction to Respondent No.3 to consider and dispose of the representation, which is stated to be still pending with him, and communicate the result thereof to the applicant, in a well reasoned order within a period of 30

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days from the date of receipt of a copy of this order. If the representation has already been disposed of, in the meantime, then result thereof be communicated to the applicant within a period of 15 days from the date of receipt of this order. Till such time, status quo in respect of the relieve of the applicant from his present place of posting shall be maintained. There shall be no order as to costs.

5. Applicant is at liberty to produce copy of the order before the Respondent No. 3, who on receipt of the order, shall do well to comply with the order within the stipulated period as directed as above. Copy of this order be also communicated to Respondent No.3 by the Registry by Speed Post.


(A.K.PATNAIK)
MEMBER(Judl.)

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