

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

OA No. 260/000028 of 2014  
Cuttack the 30<sup>th</sup> day of January, 2014

CORAM

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER  
HON'BLE MR. R. C. MISRA, ADMINISTRATIVE MEMBER

Bhagyadhar Das,  
aged about 46 years,  
Son of Late Jagu Das,  
ASPOs, (Hqrs) Cuttack North Division-753001,  
Permanent resident of Village/Po-Sanra,  
Via-Nalibar, Dist-Jagatsinghpur.

...Applicant

(Advocates: M/s. P.K. Padhi, J. Mishra )


**VERSUS**

Union of India Represented through

1. Secretary-cum-Director General of Posts,  
Dak Bhawan, Sansad Marg,  
New Delhi-110001.
2. Chief Post Master General,  
Orissa Circle, Bhubaneswar,  
Dist-Khurda-751001.
3. Director of Postal Services,  
O/o-Chief Post Master General,  
Orissa Circle, Bhubaneswar,  
Dist-Khurda-751001.
4. Superintendent of Post Offices,  
Cuttack North Division, Cuttack-753001
5. Smt. Arunabala Mohanty, ASP (HQ),  
RMS N Division, Cuttack-753001. .

..... Respondents

Advocate(s)..... Ms. P.R.J. Dash,



ORDER(Oral)

A.K. PATNAIK, JUDICIAL MEMBER

The applicant while continuing as ASP (HQ), Cuttack North Division was transferred and posted as ASP I/c, Kendrapara Sub Division vide order dated 07.01.2014 and in his place Respondent No.5 who was continuing as ASP (HQ), RMS N Division Cuttack was transferred and posted. By making representation dated 8<sup>th</sup> January, 2014 and 25<sup>th</sup> January, 2014 he has prayed for his retention in his present place of posting by stating that the transfer would cause dislocation of the orderly manner of treatment of his wife who is a chronic Arthritis patient and the study of his daughter reading in Class IX and son who is reading in Class V in Cambridge School, Cuttack. Alleging no response on the said representations, the applicant has filed the instant OA with prayer to quash the order of transfer dated 07.01.2014 and direct the Respondents to allow the applicant to continue in his present place of posting till completion of his tenure.

2. Copy of this OA has been served on Mr.P.R.J.Dash, Learned Additional CGSC for the Union of India who accepts notice for the Respondents. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission.


3. Heard Mr. P.K.Padhi, Learned Counsel for the Applicant and Mr.P.R.J.Dash, Learned Additional CGSC appearing for the Respondents and perused the records.


4. Mr.Dash has no immediate instruction whether any such representation has really been submitted by the applicant and the status thereof.

*Das*

5. This being a matter of transfer against which the applicant submitted representations and according to him he has not received any reply, thereon, we do not see any justifiable ground or reason to entertain this OA at this stage. Hence, without expressing any opinion on the merit of the matter this OA is disposed of at this admission stage with direction to the Respondent No.2 to consider and dispose of the representations dated 08.01.2014 and 25.01.2014, if at all the same were received and are still pending and communicate the decision thereof in a well reasoned order to the applicant within a period of 30(thirty) days from the date of receipt of copy of this order. If in the meantime any decision has already been taken on the said representations but the result has not been intimated to the applicant result thereof be intimated to the applicant within a period of fifteen days from the date of receipt of copy of this order. There shall be no order as to costs.

6.As prayed for by Mr. Padhi, Learned Counsel for the Applicant copy of this order be sent by speed post, at his cost, to the Respondent No.2 for compliance; for which Mr. Padhi undertakes to furnish the postal requisite within two days hence.

  
(R.C.Misra)  
Member (Admn.)

  
(A.K.Patnaik)  
Member (Judicial)