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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00 735 OF 2014

Cuttack this the 16th day of October, 2014

CORAM

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

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

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Bhagirathi Mallia,
aged about 50 years,
Son of Hata Mallia,
At- Kapileswar Kumbhar Sahi,
PO.- Old Town, PS- Airfield, Dist- Khurda,
Now working as Office Attendant,
in the office of the Superintending Archaeologist,
Archaeological Survey of India, Toshali Apartment,
Satya Nagar, Bhubaneswar, Dist- Khurda, Odisha.

...Applicant

(Advocates: M/s. S.C.Panda, P.B.Mohapatra)

VERSUS

Union of India Represented through

1. Secretary,
Department of Culture,
Ministry of Human Resources and Development,
Sashtri Bhawan, New Delhi-110001.
2. Director General,
Archaeological Survey of India,
Janpath, New Delhi-110011.
3. Superintending Archaeologist,
Archaeological Survey of India,
Bhubaneswar Circle, At- Toshali Apartment,
Block No. VI (B), PO_ Satyanagar,
Bhubaneswar, Dist- Khurda.

.... Respondents

(Advocate: Mr. G. Singh)

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ORDER (ORAL)

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

Heard Mr. S.C.Panda, Learned Counsel for the Applicant, and Mr. G. Singh, Ld. Addl. CGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant, now working as Office Attendant in the office of the Superintending Archaeologist, Archaeological Survey of India, Bhubaneswar, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking a direction to the Departmental Respondents to consider his case by recalling/cancelling the order of transfer vide Annexure-A/1 dated 17.09.2014. Mr. Panda, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant made representation on 17.09.2014 before Superintending Archaeologist, Archaeological Survey of India, Bhubaneswar Circle, i.e. Respondent No. 3, but till date no response has been received by the applicant.

3. Mr. G.Singh, Ld. ACGSC, submits that he has no immediate instruction so far as the pendency of the representations is concerned.

4. Since the positive case of the applicant is that his representation is still pending with Respondent No. 3, at this stage, without entering into the merit of this case, we dispose of this O.A. by directing Respondent No.3 to consider the representation under Annexure-A/4, if the same is still pending with him, and communicate the decision thereof in a reasoned and speaking order to the applicant within a period of 60 days from the date of receipt of a copy of this order. It is made clear that till the representation is -



considered and result communicated to the applicant status quo in respect of the continuance of the applicant will be maintained.

5. On the prayer made by Ld. Counsel for the applicant, copy of this order, along with paper book, be sent to Respondent No. 3 by Speed Post at the cost of the applicant for which Mr. Panda, Ld. Counsel for the applicant, undertakes to file the postal requisites by 20.10.2014.

6. Certified copies of this order be made over to the Ld. Counsel for the applicant as per rules during the course of the day.

(R.C.MISRA)
MEMBER(Admn.)

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

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