

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 1222 of 1996.

( U N L I S T E D )

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.

Hon'ble Mr. M.S. Mukherjee, Administrative Member.

PARESH CHANDRA KARAN

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. Samir Ghosh, counsel.

For the respondents: Mr. J.K. Biswas, counsel, and  
Mr. B.G. Roy, counsel.

Heard on: 04.10.96.

Ordered on: 04.10.96.

O R D E R

A.K. Chatterjee, V.C.

1. This is filed as an unlisted motion to-day. Mr. Samir Ghosh, ld. counsel, appears for the petitioner. Mr. J.K. Biswas, ld. counsel and Mr. B.G. Roy, ld. counsel, appear for the respondents. Mr. Roy, ld. counsel, undertakes to file power.

2. The petitioner is working as Section Supervisor in the office of the Regional Provident Fund Commissioner (Admn), posted at Howrah and <sup>by</sup> vide an Order dt. 24.9.96, Annexure-A.6 to the petition, has been transferred to Jalpaiguri. He appears to be a physically handicapped and <sup>claiming that he has been granted</sup> aims at his exemption from rotational transfer. It further appears that he has made a representation to the Regional Provident Fund Commissioner at 44, Park Street, Calcutta (Annexure-A.7 to the petition) which seems to have been received on 24.9.96. This representation is apparently still pending.

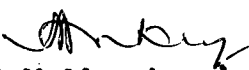
3. However, it appears that the appropriate authority i.e., the Regional Provident Fund Commissioner (Admn) who <sup>is the</sup> should <sup>is the</sup> dispose of the aforesaid representation, has not been shown as <sup>appropriate authority to</sup> <sup>is the</sup> <sup>is the</sup>

<sup>a</sup> party-respondent. In the circumstances, the petitioner is given liberty to implead him as a <sup>respondent</sup> party. Cause Title of the petition shall also be amended <sup>by the Registry</sup> accordingly.

4. In the circumstances stated hereinabove and on hearing Mr. Samir Ghosh and Mr. J.K. Biswas, the ld. counsel for the petitioner and respondents respectively, we dispose of the application at the admission stage itself with <sup>the</sup> direction that the petitioner shall <sup>forthwith</sup> make a fresh representation to the Regional Provident Fund Commissioner (Admn) stating all the grounds for cancelling the impugned transfer order, which shall be disposed of by the said authority appropriately and till such disposal, the impugned transfer order dt. 20.9.96 of the Regional Provident Fund Commissioner (Admn), vide Annexure A.6 to this petition, shall remain stayed so far as the petitioner's transfer <sup>to</sup> to SRO, Jalpaiguri is concerned.

5. The order passed this day accompanied with a copy of the representation made by the petitioner shall also be ~~simultaneously~~ communicated by the petitioner to all the respondents including the added respondent <sup>who will also be served</sup> with a copy of this application <sup>and annexures.</sup>

6. The application is disposed of this stage itself. No costs.

  
( M.S. Mukherjee )  
Member(A)

  
( A.K. Chatterjee )  
Vice-Chairman.