

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA 1306 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.

BIRENDRA NATH DUTTA

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. S.N. Roy, counsel, with  
Mr. A.K. Ghosh, counsel.

For the respondents: NONE.

Heard on: 16.10.96.

Ordered on: 16.10.96.

O R D E R

M.S. Mukherjee, A.M.

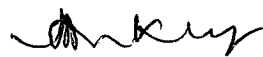
1. This is filed as an unlisted motion to-day by Mr. Roy, ld. counsel appearing for the petitioner along with Mr. Ghosh, ld. counse. None appears for the respondents.

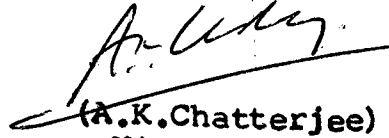
2. The petitioner is aggrieved by the Order dt. 25th July, 1996 issued by Garrison Engineer, Fort William, Calcutta, transferring him from Calcutta to Panagarh (A.L to the petition) and Order dt. 26th July, 1996 from DSO, Calcutta (Annexure-A.N to the petition) by which he has been informed that he would be relieved from his duty on 31.7.96 (AN) and further by the Order dt. 29th July, 1996 (Annexure-A.N to the petition) to the petitioner, he has been conveyed that he will be released on 31st July, 1996 accordingly. The petitioner has prayed for a direction for cancellation of this Order on health grounds.

3. The petitioner alleges to be a heart patient. He has made representation by registered post to this effect but copies have not been annexed to the petition. Under the circumstances, on hearing the ld.counsel for the petitioner, we dispose of the application at this stage itself with the following direction that the respondent no.4, <sup>W8</sup>G.E., Fort William, Calcutta, will treat this petition as a representation of the petitioner and dispose of the same appropriately. Till such disposal, the petitioner needs not join ~~the~~ post at Panagarh by virtue of the impugned Order as mentioned above. While disposing of the case, the respondent no.4 herein shall also decide the period of absence appropriately under the rules and pay him the salary as due under the rules.

4. Application is disposed of accordingly. No costs.

5. Plain Copy of this Order be given to the ld.counsel for the petitioner for immediate and simultaneous communication of the respondents/along with a copy of the petition and annexures thereto. <sup>including respondent no.4 herein</sup>

  
(M.S. Mukherjee)  
Member(A)

  
(A.K. Chatterjee)  
Vice-Chairman.