

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 58 of 97

Present : Hon'ble Dr.B.C.Sarma, Administrative Member
Hon'ble Mr.D.Purkayastha, Judicial Member

ARJIT DE

VS

UNION OF INDIA & ORS.

For the applicant : Mr.Samir Ghosh, counsel

For the respondents: Mr.M.S.Banerjee, counsel

Heard on : 30.1.97

Order on : 30.1.97

O R D E R

B.C.Sarma, A.M.

The dispute raised in the application is about the transfer of the applicant from Calcutta to Imphal unit of Silchar branch of CBI by the respondents. The applicant has cited various grounds ^{while awaiting} ~~not to accept~~ the transfer order. It has also been submitted before us that a representation was filed by him, as set out at page 16 of the application, dated 11.1.97 but the matter is yet to be disposed of. Being aggrieved thereby, the instant application has been filed with a prayer that a direction be issued upon the respondents to cancel, withdraw and/or rescind the impugned order of transfer dated 9.1.97 and the release order dated 10.1.97, being Annexure 'A' to the application and to direct the respondents to deal with and/or dispose of the representation, being Annexure 'B' to the application.

2. Mr.M.S.Banerjee, counsel appears for the respondents in this case. He submits that the representation was originally addressed to The Director, CBI, New Delhi through the authorities in Calcutta which is now being transferred to the authorities in Silchar since the applicant is released from the Calcutta office on 10.1.97. The matter is still pending.

3. We have heard both the parties and perused the records. In view of the fact that the representation is still pending we dispose of the application at the admission stage itself with a direction that within 2 months from the date of communication of this order the respondent No.2 shall dispose of the representation by passing a speaking order thereof which shall be conveyed to the applicant within the same period. For this purpose we give liberty to the applicant to send a

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copy of the representation dated 11.1.97 to The Director, CBI within one week from this date. We have been given to understand that the applicant is on leave after he has been released from the Calcutta office. Mr. Ghosh, Counsel for the applicant prays for maintaining the status quo. We have considered his prayer and order that the applicant, if so likes, he can submit a separate application to the authorities concerned for grant of leave on receipt of which the application may be considered by the authorities. We make no order as to costs.



(D. PURKAYASTHA)
MEMBER (J)



(B.C. SARMA)
MEMBER (A)