No. O.A. 184 of 1997.

(UNLISTED)

Date of Order: 19.02.97.

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

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

LAL MOHAN SEN

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr.K.Sarkar,counsel.

For the respondents: NONE.

O R D E R

The petitioner, who is an Asstt.Engineer(B/R) under Garrison Engineer(A/F),Bagdogra,has come up with the instant application as an unlisted motion to-day as he is aggrieved by an order of transfer to Allahabad against which he made a representation to the concerned authority but to no effect.

Mr.Sarkar,ld.counsel,appears for the petitioner, but none appears for the respondents.

In the instant application, he has pointed out that due to some domestic problems, according to him, he is unable to move from his present place of posting.

Hearing the ld.counsel for the petitioner and on perusal of the application and annexures thereto we find that the domestic problems have been averred in paragrph 4.16 to the application but has not been disclosed to the representation filed by him against the transfer.
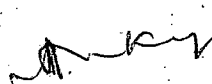
In such circumstances, we consider it appropriate to dispose of the application itself with a direction upon the respondents, particularly respondent no.3 herein,to treat the application itself as a representation with the reliefs claimed therein and dispose it of by passing a speaking order with

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be communicated

~~communication~~ to the petitioner. We further direct that the petitioner shall not be relieved, if not already relieved, till the disposal of the representation as directed above.

Petitioner shall forthwith communicate the Order passed this day and serve a copy of the application and the annexures thereto upon all the respondents.

Certified copy of the application be delivered in course of two ~~weeks~~ *days* from this day.

(M.S.Mukherjee)
Member(A)

(A.K.Chatterjee)
Vice-Chairman.