

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PATNA BENCH, PATNA

O.A. No. 339/2006

Date of Order : 02/06/2006

C O R A M

**HON'BLE MR. JUSTICE P.K. SINHA, VICE-CHAIRMAN**

Hari Narayan Sah, ..... Applicant.

-By Advocate Shri S.K. Bariar.

-Versus-

Union of India & Ors. ..... Respondents.

-By Advocate : Shri M.K. Mishra.

O R D E R [ ORAL ]

Justice P.K. Sinha, VC:- Heard both sides.

2. The applicant is a Junior Engineer in the department of I&B and <sup>had</sup> joined in Patna in December, 2000. Vice Annexure-A/1 dated 01.03.2006 he was transferred in the same capacity to Ranchi vice one R.R. Gupta. His grievance is that his immediate local superior officer did not relieve him. Thereafter, there was some modification in order dated 01.03.2006 vice Annexure A/3 dated 9.5.2006. In this transfer order the applicant was transferred to Ranchi but vice another official, Shri Abdul Kalam, which was the only difference. The applicant appears to have filed



representations vide Annexure A/2 series to the respondent no. 5, the Executive Engineer (Civil), CCW, AIR, Patna. The last representation is dated 23.5.2006. But the officer has not been relieved though even in Annexure- A/1 there was direction about some transferred officers including the applicant that they would move <sup>first</sup>.

3. The applicant has also stated how on personal level also he is made to suffer because of non implementation of Tribunal's order such as education of his wards.

4. The learned Sr. Standing Counsel has also been heard, who submits that the reasons as to why he is not being relieved is not known to him, hence he cannot say anything about that <sup>but since his representation</sup> is still pending before respondent no. 5, who is the competent local officer to order relieving <sup>of</sup> the officer, he may be allowed to dispose of the representation of the applicant.

5. It also appears proper to me to allow respondent no. 5 to dispose of the representation dated 23.5.2006, also considering the grounds as mentioned in this application.

6. Respondent no. 5 is, therefore, directed to take a decision about relieving the applicant positively within ten days of the receipt of copy of this order, <sup>or</sup> shall, within the same period, obtain contrary order of the Superintending Surveyor of Works -I, who had ordered the transfer. The applicant within a week of receiving certified copy of the order will make <sup>to</sup> available respondent no. 5 a copy of the order along with a copy of the <sup>order</sup>.

21/10/06

application.

7. With the aforesaid directions, this application is disposed of.



[ P.K. SINHA ]  
VICE-CHAIRMAN

srk.