

FORM NO. 4

( See Rule 42 )

# In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO.

209

OF 199 8

Applicant(s) Shri Jatindra Nath Bora

Respondent(s) Union of India & Ors

Advocate for Applicant(s) Mr. G. K. Bhattacharyya

Mr. G. N. Das

Advocate for Respondent(s)

Mr. B. Dutta Das

Mr. G. Sarma, Addl.

C.G.S.C

Notes of the Registry	Date	Order of the Tribunal
<p>Application is in form and within time.</p> <p>G.F. of Rs 50/- deposited vide IPO/BD No. 022201</p> <p>Dated 28.8.98</p> <p>Requisite 3 copies have been filed.</p> <p>28/8/98 Registrar</p> <p>28/8/98</p>	<p>2.9.98</p> <p>pg</p> <p>MS</p> <p>7/9</p> <p>9-9-98</p>	<p>Mr G. Sarma, learned Addl. C.G.S.C to take instruction in this case.</p> <p>List on 9.9.1998 for admission.</p> <p>Member</p> <p>Vice-Chairman</p> <p>The present application has been filed by the applicant seeking certain directions.</p> <p>Facts are :</p> <p>The applicant at the material time was working as Head Constable (GD) in the office of the Commandant, Group Centre, S.S.B, Kohima, According to the applicant he was assaulted by a group of persons and was also threatened with dire consequences, if he would not leave</p>

contd/-

Notes of the Registry	Date	Order of the Tribunal
<p>20.10.98.</p> <p>Copies of the order have been sent to the D/Sec. for issuing the same to the parties through Regd. with APO.</p> <p>Issued vide J. Nos. 3047 to 3051</p> <p>20.22.10.98.</p> <p>48.</p>	<p>9-9-98</p>	<p>the place. Situated thus the applicant approached the authority for granting leave and also to transfer him out of Kohima. However, the authority felt that the applicant should not be transferred. On the other hand the applicant was asked to report for duty. Apprehending the consequences of the threat given by those group of persons, the applicant has filed this application.</p> <p>We have heard Mr.G.N.Das, learned counsel appearing on behalf of the applicant and also Mr.G.Sarma, learned Addl.C.G.S.C. The matter relating to the transfer of an employee is exclusively within the domain of the authority concerned, who is the employer. In our opinion this type of matter does not come within the jurisdiction of this Tribunal. However, we feel it will be expedient if the applicant files a fresh representation within a period of 10 days from to-day giving details of his grievances. If such representation is filed within the period mentioned above, it should be disposed of by the respondents within 15 days the date of receipt of such representation.</p> <p>Accordingly, the application is disposed of. No order as to costs.</p> <p><i>be</i> Member</p> <p><i>LB</i> Vice-Chairman</p> <p>LM</p>