

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A.No. 18 of 1998

DATE OF DECISION.....5.5.1999.....

Sri Bipul Chandra Deb (PETITIONER(S))

Mr. P.K.Roy, ADVOCATE FOR THE PETITIONER(S)

-VERSUS-

Union of India & Ors. RESPONDENT(S)

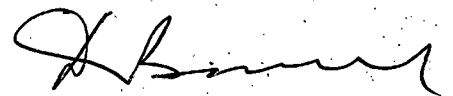
Mr. A. Deb Roy, learned Sr. C.G.S.G. ADVOCATE FOR THE RESPONDENTS.

THE HON'BLE MR. JUSTICE D.N.BARUAH, VICE-CHAIRMAN.

THE HON'BLE SRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 18 of 1998.

Date of decision : This the 5th day of May, 1999.

Hon'ble Mr. Justice D.N. Baruah, Vice-Chairman.

Hon'ble Sri G.L. Sanglyine, Administrative Member.

Sri Bipul Chandra Deb,  
Accounts Supervisor,  
H.R.O., R.M.S., GH Division,  
Guwahati.

...Applicant.

By Advocate Mr. P.K. Roy.

-versus-

1. Union of India,  
Through the Director General,  
Department of Post,  
Dak Bhawan,  
New Delhi-110001.
2. The Chief Post Master General,  
Assam Circle, Guwahati-1.
3. The Senior Superintendent,  
R.M.S., Guwahati Division (GH Div.),  
Guwahati-1.

...Respondents

By Advocate Mr. A. Deb Roy, learned Sr. C.G.S.C.

O R D E R

BARUAH J. (V.C.).

In this application the applicant has challenged the Annexure-P order dated 26/31.12.97 by which the applicant was transferred from Accounts cadre to the General cadre. According to the applicant he opted for Accounts cadre and the authority accepted him in the Accounts cadre on the basis of his option. Since then he has been working in the Accounts cadre.

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Suddenly he was transferred to the General line without affording any opportunity of hearing. Being aggrieved the applicant submitted Annexure-Q representation dated 1.1.1998. The said representation was disposed of and communicated it by Annexure-R letter dated 21.1.1998 issued by the Senior Superintendent of RMS, Gauhati Division, Guwahati. In the said letter among others it is stated as follows :

".....that your representation has been considered, but your contention in the matter of transfer, cannot be acceded to under the existing provisions of rules."

Situated thus, the applicant has filed the present application.

2. We have heard Mr. P.K.Roy, learned counsel appearing on behalf of the applicant and Mr. A. Deb Roy, learned Sr. C.G.S.C. Mr. Roy submits that the representation of the applicant was not at all considered and points raised in his representation had not been taken into consideration. The said representation was disposed of by a cryptic order.

3. We have perused the order. We find sufficient force in the submission of Mr. Roy in view of the fact that no reasons has been assigned in the letter dated 21.1.1998 rejecting the representation of the applicant. We feel it will be expedient if the matter is sent back to the authority concerned to consider the representation once again and dispose of the same by passing a reasoned order. If the applicant is still aggrieved by the decision of the authority he may approach the appropriate authority. This must be done as early as possible at any rate within a period of one month from the date of receipt of this order. We further direct





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that till disposal of the representation status quo of the applicant as on today shall be maintained.

4. With the directions made above, the application is disposed of.

5. Considering the facts and circumstances of the case, we however, make no order as to costs.

  
(G.L.SANGLYINE)  
Administrative Member

  
(D.N.BARUAH)  
Vice-Chairman

trd