

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

OA. 350/1083/2017

Date of Order: 25.01.2018.

Present: Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri M. Venkateswar Rao, S/o, late  
Rathaih, R/o Dignabad, working for  
Gain as in the capacity of LMMR,  
Electricity Department, A&N Islands,  
Port Blair- 744101.

.....Applicant

Vs.

1. Union of India, (Through Secretary  
To the Govt. of India, Ministry of Power  
New Delhi- 110001.
2. The Lieutenant Governor, Andaman  
and Nicobar Islands, Raj Niwas, Port  
Blair- 744101.
3. The Chief Secretary, A&N Administration,  
Port Blair- 744101.
4. The Commissioner-cum-Secretary (Power)  
Secretariat, A&N Administration, Port  
Blair, A & N Islands- 744101.
5. Assistant Director (Admn.), Dept.  
Of Electricity, Vidyut Bhawan, Phoenix  
Bay, Port Blair, A& N Islands- 744101.
6. The Superintending Engineer, Department  
Of Electricity, Vidyut Bhawan, Phoenix  
Bay, Port Blair, A&N Islands- 744101.

.....Respondents.

For the Applicant : Mr. R. George, Counsel

For the Respondents : Mr. SK Ghosh, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard learned counsel for applicant and respondents.

2. The instant application has been filed by the applicant seeking the following reliefs:

“8(a) A mandatory order directing the respondents authorities more particularly to the respondent no. 6, the Superintending Engineer, Electricity Department, Port Blair and their servants/agents subordinates/ men that not give any effect or further effect to the order no. 1377, dated 04.11.2016, whereby the applicant transferred to Baratang Islands.

(b) A mandatory order directing the respondents authorities more particularly to the respondent no. 6, the Superintending Engineer, Electricity Department, Port Blair and their servants/agents subordinates/men to quash/set aside/rescind/withdraw/cancel or recall the order no. 1377, dated 04.11.2016, whereby the applicant transferred to Baratang Islands.

(c) An order do issue directing the respondents to certify and transmit the record pertaining to the instant original application before this Hon'ble Tribunal so that conscionable justice can be rendered.

(d) Such other order or further orders direction or further directions as your Lordship may deem fit and proper.

(e) Cost and incidentals thereto;”

3. During the hearing stage, learned counsel for applicant submitted that the applicant has joined at Baratang as transferred vide Office Order No. 1377 dated 04.11.2016 and he is continuing therein till date.

4. The applicant, however, preferred two representations dated 27.06.2017 as well as that dated 04.07.2017(Annexures A-11 & A-12 to the OA) to the Superintending Engineer, Electricity Department, Port Blair being Respondent No. 6 seeking re-transfer to Port Blair on the ground of schooling of his daughter.

Learned counsel for applicant further submitted that these representations

have not been considered till date. Accordingly, without entering into the merits of this case, we dispose of the OA by directing the respondent no. 6 to dispose of the representations of the applicant, within a period of four weeks from the date of receipt of this order and subject to receipt of the representations as referred to para 4 prepage.

5. It is needless to say that the order should be reasoned and speaking and should be based on transfer policy of the respondent authorities. Decision arrived at is to be conveyed to the applicant immediately.

6. Hence, the OA is disposed of. No costs.

(Dr. Nandita Chatterjee)  
Member (A)

(Manjula Das)  
Member (J)

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