

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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No. OA 350/01717/2016

Date of order : 6.12.2016

Present: Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

SAMARESH SAMANTA

VS

UNION OF INDIA & ORS.

For the applicants : Mr.B.Bhusan, counsel

For the respondents : None

O R D E R

Justice V.C.Gupta, J.M.

We have heard the ld. Counsel for the applicant at the admission stage.


2. The applicant has been transferred on 14.10.16 from DEMU Haldia to Kharagpur to Personnel Department under DPO Kharagpur in his existing capacity and grade of pay. The order has to take immediate effect. The applicant made a representation on 2.11.16. The same was disposed of by an order dated 10.11.16 and the request made in the representation was declined. By the same order he was immediately relieved to join his new place of posting. But till date he has not joined.

3. The ground that has been taken with regard to posting of husband and wife at the same place, and the ground of illness of his mother has been considered by the authorities. The option which has been exercised in 2012 has already been implemented and that option cannot continue for an indefinite period. As such at this stage we are not inclined to stay the transfer order in the aforesaid circumstances.


4. In view of the order passed by the administrative authorities, we do not find any reason to interfere with the decision already taken by the authorities after giving an opportunity of being heard.



5. We do not find any reason to interfere with the transfer order. The OA lacks merit.
6. The OA is therefore, dismissed. No order as to costs.



(JAYA DAS GUPTA)
MEMBER (A)



(JUSTICE VISHNU CHANDRA GUPTA)
MEMBER (J)

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