

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

03/04/2019

O.A./260/232/2019
WITH IP

L SAHU
-V/S-
D/O POST

ITEM NO:11

FOR APPLICANTS(S) Adv. : Mr. D.P. Dhalsamant

FOR RESPONDENTS(S) Adv.: Mr. C.M. Singh

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the applicant submitted that although the applicant had furnished his choice of transfer at Annexure-A/3 in response to the circular issued by the respondents at Annexure-A/2, but his case was not considered. Another employee i.e., Respondent No.6 has been posted where the applicant had given option, although he had not completed his tenure. Applicant's counsel further submitted that the applicant's first place of choice transfer is currently vacant which was managed by another employee.</p> <p>Ld. Counsel for the respondents was heard. He submitted that in the circular at Annexure-A/2 it is clearly mentioned that the options submitted may not be accepted for transfer. He further submitted that alternative remedy has not been exhausted.</p> <p>In view of the above submissions, the O.A. is disposed of at this admission stage with a direction to Respondent No.5/competent authority to treat this O.A. as representation of the applicant and</p>

reconsider his transfer keeping in view the option submitted by him subject to administrative exigencies. Till consideration of the representation as above, the status quo of the applicant as on date in respect of his posting vis-a-vis the transfer order dated 25.03.2019 be maintained.

It is made clear that we have not expressed any opinion on the merit of the case while passing this order. The O.A. is disposed of accordingly. No costs.

Copy of this order along with paper books be sent to Respondent No.5/competent authority within one week by speed post for which Ld. Counsel for the applicant has agreed to file the necessary postal requisites by tomorrow after which necessary action will be taken by the Registry. Copy of the order be given to both the counsels.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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