

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

ORDER SHEET

COURT NO. : 1

05/04/2019

O.A./260/237/2019

WITH IP

R C BOHIDAR

-V/S-

D/O POST

ITEM NO:16

FOR APPLICANTS(S) Adv. : Mr. B. Moharana

FOR RESPONDENTS(S) Adv.: Mr. J.K. Nayak

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 applicant is aggrieved by the order dated 02.04.2019 (Annexure-A/4) by which he is being transferred to BS Nagar SO after one year from his present place of posting, as against the normal tenure of three years and against the guidelines of Transfer(Annexure-A/2).</p>
	<p>Ld. Counsel for the respondents submitted that transfer is necessary because of promotion of the staff and for less than three years tenure transfer has been approved by the competent authority vide Order dated 29.03.2019 (Annexure-A/3).</p>
	<p>It is seen from the order dated 29.03.2019 or 02.04.2019 that the reason for which the transfer is required is not mentioned as required under para-5 (i) of guidelines on Transfer(Annexure-A/2). The applicant has submitted a representation dated 02.04.2019 (Annexure-A/6) for consideration of his transfer and has approached this Tribunal when the</p>

said representation is pending. Ld. Counsel for the applicant submitted that a direction be given to the respondents for disposal of the said representation and till it is disposed of, the applicant be allowed to continue at the present place. In view of the above, and taking note of the fact that the representation dated 02.04.2019 (Annexure-A/6) filed by the applicant is pending, the O.A. is disposed of at this admission stage with a direction to Respondent No.2/competent authority to consider the said representation dated 02.04.2019 (Annexure-A/6) of the applicant and dispose of the said representation by passing a speaking order as per the provisions of law, copy of which be communicated to the applicant within one month from the date of receipt of a copy of this order. Pending consideration of the representation, the applicant be allowed to continue at the present place of posting at Baliguali SO, if he has not been relieved or his reliever has not joined at Baliguali SO as on today.

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 to Ld. Counsels for both the parties.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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