

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

ORDER SHEET

COURT NO. : 1

26/02/2019

O.A./260/134/2019

WITH STAY, ON MEMO

RABINDRA KUMAR SAHU

-V/S-

D/O POST

ITEM NO:15

FOR APPLICANTS(S) Adv. : Mr. S. K. Ojha

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

Notes of The Registry	Order of The Tribunal
	<p>Heard Learned Counsel for the applicant and Learned Counsel for the respondents.</p> <p>Ld. Counsel for the Applicant submitted that the applicant has challenged the order dated 22.02.2019 (Annexure-A/1). He also stated that specifically spelt out from the Departmental Circular issued by the DG Posts(Annexure-A/3), Divisional Superintendents approaching their superannuation within 06 months must obtain prior written approval of the DPS/PMG before issuing any transfer or posting order.</p> <p>Ld. Counsel for respondents wanted some time to obtain instruction in the matter and stated that the applicant has not approached the authorities first before filing OA.</p> <p>In view of the above submissions, the applicant is at liberty to file representation before the authorities for consideration of his request, as per the policy of the Government and if such a representation is submitted to the Respondent No. 3/competent authority within 07 days from the date of receipt of a copy of this order, then the Respondent No.3/competent authority shall consider the said representation filed by the applicant and dispose of the same as per provision of law, by passing a speaking and reasoned order preferably within one month from the date of</p>

receipt of the representation of the applicant under intimation to the applicant and pending disposal of the representation, the applicant will not be relieved if he has not been relieved in pursuance to the impugned transfer order as on date. It is made clear that if no representation is received from the applicant by Respondents No.3/competent authority within the time as stated above, then this order will not be applicable.

It is made clear that we have not expressed any opinion on the merit of this case while passing this order.

The O.A. is disposed of accordingly . No costs.

Urgent copy of this order be made available to Ld. Counsel for both the parties.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

pms