

LIBRARY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

O.A.No. 350/01790 /2018

In the Matter of :

An application u/s 19 of the
A.T.Act, 1985;

-And-

In the Matter of :

Pranab Kumar Das, son of Late
Kuntal Kumar Das, aged about
51 yrs., working as Asstt.

Administrative Officer in the
Office of the ADG(ER)-I, CPWD,
Govt. of India, Kolkata-20;
residing at present at Bhawani
Complex, Block-N, Krishnapur,
Flat No.1D, P.S:Baguiati,
Kolkata-700 102 and permanently
residing at Chandpara, Gaighata,
P.S: Dhakuria Kalibari, Dist.
24-Pgs.(N), Pin-743 246.

.. Applicant

-Versus-

1) Union of India through the
Secretary, Ministry of Urban
Development, Nirman Bhawan,
New Delhi-110 011.

AL

2.

2) The Director General,
Central Public Works Deptt.,
Govt. of India, Nirman
Bhawan, New Delhi-110 011.

3) The Deputy Director(Admn)
III, Office of the Director
General, CPWD, Govt. of India
Nirman Bhawan, New Delhi
-110 011.

4) The Chief Engineer, East-
ern Zone-I, CPWD, Govt. of
India, 5th floor, 1st MSO
Building, Nizam Palace, 234/
4, AJC Bose Road, Kolkata-
700 020.

5) The Additional Director
General(ER)-I, CPWD, Govt.
of India, 6th floor, 1st
MSO Building, Nizam Palace,
234/4, AJC Bose Road, Kolkata
700 020.

.. Respondents

W

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1790/2018

Date of Order: 10.12.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Pranab Kumar Das Vs. CPWD

For the Applicant(s): Mr. K.Sarkar, Counsel

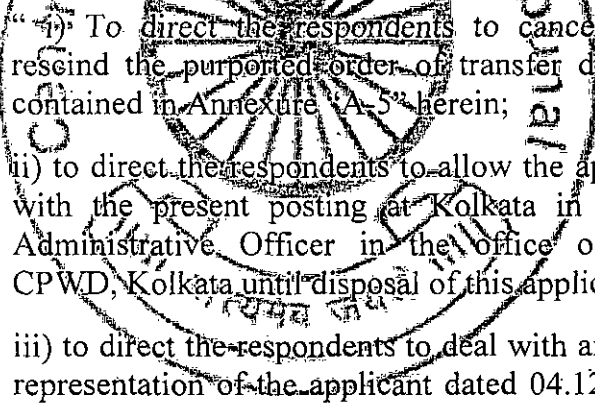
For the Respondent(s): Mr. B.B.Chatterjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

- 
- "i) To direct the respondents to cancel, withdraw and/or rescind the purported order of transfer dated 03.12.2018 as contained in Annexure 'A-5' herein;
- ii) to direct the respondents to allow the applicant to continue with the present posting at Kolkata in the post of Asstt. Administrative Officer in the office of the ADG(ER)-I, CPWD, Kolkata until disposal of this application;
- iii) to direct the respondents to deal with and/or dispose of the representation of the applicant dated 04.12.2018 as contained in Annexure 'A-6' herein in its correct perspective;
- iv) to direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for effective adjudication of the issues involved herein.
- v) And to pass such further or other order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. The case of the applicant in short, as submitted by Ld. Counsel, is that the applicant has challenged the order of transfer bearing No. 8/42016-EC-IV(SC)1553 dated 03.12.2018 issued by the Respondent No. 3 by transferring him from the office of the Respondent No. 5 to the office of the SDG (NER) CPWD, Guwahati, Assam. Ld. Counsel for the applicant submitted that ventilating his



grievance the applicant has preferred a representation dated 04.12.2018 (Annexure-A/6) before Respondent No.2, which is stated to be pending.

4. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 2 to consider the representation of the applicant, if the same has been filed and is pending before him for consideration, and pass a reasoned and speaking order keeping in mind the rules, regulations as well as all the points raised in the representation within a period of three weeks from the date of receipt of copy of this order. It is made clear that if after such consideration the applicant is found to be entitled to the relief claimed by him then necessary steps be taken within a further period of three weeks therefrom to post him in his present place. I also make it clear that status quo as on date so far as continuance of the applicant in the present place of posting is concerned will be maintained till the period of one week from the date of communication of the order to the applicant. It is further made clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2, for which, he undertakes to deposit the cost with the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS