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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/00 196 /2019

In the matter of :-

An application Under Section 19 of the
A. T. Act, 1985;

- And -

In the matter of:-

Arjit Basu, son of Monojit Basu, aged
about 38 years, working as Scientist-B,
National Informatics Centre, West
Bengal State Centre, Bidyut Bhawan
(ground floor), Salt Lake City, Kolkata-
700091; residing at 489/1 Dumdum
Park, Sananda Apartment, Tank No-3,
Flat -7, Kolkata - 700055.

...Applicants

- Versus -

1. The Secretary, Ministry of
Electronics and Information
Technology, Govt. of India,
Electronics Niketan 6, Lodhi Road,
New Delhi-110003.

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2. The Director General, National Informatics Centre, A Block, CGO Complex, Lodhi Road, New Delhi-110003.
3. The State Informatics Officer, National Informatics Centre, Bidyut Bhawan (ground floor) Karunmoyee, Kolkata - 700091.
4. The Section Officer, National Informatics Centre, West Bengal State Centre, Bidyut Bhawan (ground floor), Salt Lake, Kolkata-700091.

... Respondents

Wd

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/196/2019

Date of Order: 12.02.2019

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

Arijit Basu -vs- National Informatics Center

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

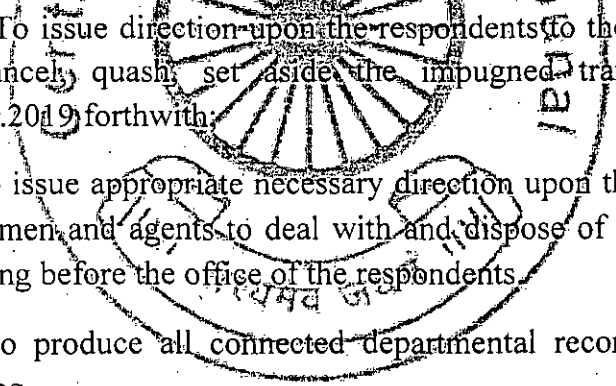
For the Respondent(s): Ms. D. Nag, Counsel

ORDER (O R A L)

A.K Patnaik, Member (J):

Heard Mr. K.Sarkar, Ld. Counsel for the applicant, and Ms. D.Nag, Ld Counsel appearing for the Official Respondents, in extenso.

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

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- “ i) To issue direction upon the respondents to their men and agents to cancel, quash, set aside the impugned transfer order dated 21.01.2019 forthwith;
- ii) To issue appropriate necessary direction upon the respondents and their men and agents to deal with and dispose of the representations pending before the office of the respondents;
- iii) To produce all connected departmental records at the time of hearing.
- iv) Any other order or orders as the Hon'ble Tribunal deem fit and proper.”

3. The case of the applicant, in nutshell, as submitted by Ld. Counsel is that the applicant is working as Scientist-B under the respondent office and is aggrieved as he is transferred from National Informatics Centre, West Bengal State Centre, Kolkata to National Informatics Centre, Dakshin Dinajpur, Balurghat. He submitted that the applicant made representations through email putting forth his grievance that he is diagnosed with severe neurological disorder and Multiple Sclerosis since 2015 which can be treated only in National Institute of Mental

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Health and Neurosciences, Bangalore and Institute of Neurosciences, Kolkata. The applicant also stated that a criminal case initiated against him has been pending in Burdwan Court for which he needs to attend the court time to time and also his ailing father needs care.

4. Ms. Nag, Ld. Counsel for the Official Respondents, vehemently opposed the submission made by Ld. Counsel for the applicant by stating that transfer is the incident of service.

5. Ld. Counsel for the applicant fairly submitted that although the applicant has preferred a series of representations and the last one is dated 25.01.2019 before Respondent No.3 (Annexure-A/9) but till date nothing has been communicated to him. He further submitted that the grievance of the applicant may be more or less redressed if the said authority is directed to consider his representation within a specific time frame.

6. Having heard Ld. Counsel for both the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 3 to consider the representation of the applicant under Annexure-A/9, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of four weeks from the date of receipt of copy of this order. I 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 for a period of two weeks from the date of such consideration and communication of order to the applicant. I also make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.



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

8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.

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

(A.K.Patnaik)
Member(J)

RK/PS

