

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

ORDER SHEET

COURT NO. : 1

01/10/2019

O.A./260/599/2019

M TANTY

-V/S-

D/O POST

ITEM NO: 32

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

FOR RESPONDENTS(S) Adv.: Mr.A.C.Deo

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsels for the applicant and the respondents.</p> <p>Learned counsel for the applicant submits that the applicant as well as his wife are ill and for this reason, the applicant has foregone his promotion. He relies on the decision of Hon'ble High Court vide Annexure A/2 and submits that the applicant is squarely covered by the said order since he is similarly placed. Besides he also stated that as per DOPT circular as the applicant belongs to SC community therefore he should not be disturbed by frequent transfers.</p> <p>Learned counsel for the respondents has submitted a note regarding brief history of the case by which it is stated that the applicant has joined in Rangadhipa SO within Sundargarh township from 5.6.2014 and he has completed his tenure posting.</p> <p>In view of the above it is directed that all the</p>

grounds mentioned in the present OA may be taken in a fresh representation to be submitted by the applicant before the respondent No.2 within a period of 10 days. If such representation is submitted by the applicant, respondent No.2 shall re-consider the matter of transfer taking into consideration the entire facts and circumstances as narrated in the OA, by passing a reasoned and speaking order within a period of 2 months from the date of receipt of such representation.

Status quo in respect of posting of the applicant shall continue till such order is communicated to the applicant.

The OA is disposed of accordingly. There will be no order as to costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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