

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

**ORDER SHEET**

COURT NO. : 1  
26/09/2019  
O.A./260/638/2019

BIRENDRA BEHERA  
-V/S-  
D/O POST

ITEM NO:19

FOR APPLICANTS(S) Adv. : Mr. C.P. Sahani

FOR RESPONDENTS(S) Adv.: Mr. S.B. Mohanty

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and Mr. S.B. Mohanty, Ld. Counsel appeared on behalf of the respondents. Registry to reflect the name of Mr. S.B. Mohanty in the cause list as respondents' counsel.</p> <p>The grievance of the applicant as stated by the Ld. Counsel is that the applicant has joined at Baragarh HO in pursuance of transfer order dated 25.03.19 (Annexure-A/1) and had joined at Bargarh HO on 26.06.2019. Thereafter, he has been again transferred to Deogarh MDG but that order was not received by him and in the meantime, he has remained leave on medical ground. During that period, Respondent No.4 had issued an order dated 06.08.2019 (Annexure-A/5) directing him to joint at Deogarh MDG with immediate effect and his leave has been turned down. He has filed an appeal dated 26.08.2019 before Respondent No.3 with whom the said appeal is pending as on</p>

date.

Respondents' counsel submitted that he has no instruction about the status of the present appeal. As stated by applicant's counsel the applicant is presently continuing at Bargarh HO.

In view of the above submissions, it is felt that no purpose would be served by keeping this O.A. pending at this stage. Hence, the O.A. is disposed of at this stage with a direction to the respondent No.3/competent authority to consider the applicant's appeal dated 26.08.2019 and dispose of the same as per the provisions of law, keeping in view the circular of DoP&T dated 30.09.2019 (Annexure-A/7) of the O.A. if the said appeal is pending as on date, within a period of two months from the date of receipt of copy of this order under intimation to the applicants. It is made clear that till communication of the said order is made to the applicant, applicant shall be permitted to continue in the present place of posting if already not relieved.

It is made that no opinion has been expressed on the merit of the case.

With the above observations the O.A. is disposed of accordingly. No order as to costs. Conv of this order be given to Ld.

Counsels for both the sides.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

kb