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CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 350/01489/2015

Date of order : 18.9.2015

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. R. Bandyopadhyay, Administrative Member

SUBRAT MISHRA

VS

UNION OF INDIA & ORS.

For the applicant : Mr. A.K. Behera, counsel
Mr. S. Panda, counsel

For the respondents: Mr. S.K. Pal, counsel

O R D E R (ORAL)

Ms. Bidisha Banerjee, J.M.

1. Heard the ld. Counsels for the parties.

2. On 17.9.15 we had engaged Mr. S.K. Pal, ld. Counsel on behalf of the respondents and directed him to obtain instructions. He has submitted today that he has no instruction in the matter, since no copy of the OA has been served on the Ministry.

3. Ld. Counsel for the applicant vociferously submitted that the respondents have been duly served with their affidavit of service in support. Affidavit of service filed today is taken on record.

Shorn of unnecessary details, the applicant seems to be aggrieved by the fact that his representation seeking a respite from the transfer on his personal grounds, citing his difficulties have not been considered by the authorities. Seeking a stay of the transfer order several decisions have been cited.

Per contra the respondents have submitted that the decisions do not apply to the present fact situation.

4. Be that as it may, since a representation has been preferred before the authorities making it imperative to be looked into, we dispose of the OA with a direction that if the representation is not yet disposed of, let it be disposed of within one month from the date of communication of this order. The transfer

order shall remain stayed in respect of the present applicant till such consideration.

5. It is made clear that we have not expressed any opinion on merits.

6. The OA is accordingly disposed of. No order is passed as to costs.

(R.BANDYOPADHYAY)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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