

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00601/2019

Monday, this the 16th day of December, 2019

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

Rajesh.K.R.,
S/o.late K.K.Rajashekharan,
Aged 39 years,
Working as Postal Assistant,
Mamba P.O., Kannur – 670 611.
Residing at Kalavampara House,
Palayam, Mamba P.O., Kannur – 670 611. ...Applicant

(By Advocate M/s.Dandapani Associates)

v e r s u s

1. Chief Post Master General,
Kerala Circle, Thiruvananthapuram – 695 033.
2. Superintendent of Post Offices,
Kannur Division, Kannur – 670 001.
3. Post Master General,
Northern Region, Calicut – 673 011. ...Respondents

(By Advocate Mr.K.Kesavankutty, ACGSC)

This application having been heard on 16th December 2019, the Tribunal on the same day delivered the following :

ORDER (O R A L)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Heard both sides. Learned counsel for the applicant maintained that the applicant is a person who has been recruited under the physically handicapped quota and is having 60% disability as evidenced from certificate issued by the Government of Kerala, a copy of which is available at Annexure A-1. She submitted that Mamba is a post office which is more convenient to the

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applicant. But the applicant had submitted a request for transfer to Koodali SO on being informed by the Chief Post Master General's Office that he has to necessarily give an option for transfer. Learned counsel submitted that the transfer has been greatly to his disadvantage as he has limited powers of locomotion.

2. Learned counsel for the respondents submitted that the post at Mamba has been filled up and maintained that the applicant had been shifted out to Koodali as it was that station which was mentioned by the applicant in writing as a preferred station.

3. After considering the case with particular emphasis on the physical condition of the applicant, we direct that the impugned orders with regard to the applicant's posting out of Mamba Post Office to Koodali SO is cancelled and the applicant is retained at Mamba. Orders in this regard to be issued within ten days from the date of receipt of a copy of this order.

4. The O.A stands disposed of accordingly. No costs.

(Dated this the 16th day of December 2019)

ASHISH KALIA
JUDICIAL MEMBER

E.K.BHARAT BHUSHAN
ADMINISTRATIVE MEMBER

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List of Annexures in O.A.No.180/00601/2019

- 1. Annexure A-1** – A copy of the medical certificate bearing Appl.No.87568 issued by District Medical Officer, Department of Health Service, Kannur dated 10.5.2010.
 - 2. Annexure A-2** – A copy of the representation dated 14.2.2019 submitted by the applicant before the 2nd respondent.
 - 3. Annexure A-2(a)** – A copy of the Office Memorandum No.36035/3/2013-Estt.(Res.) dated 31.3.2014.
 - 4. Annexure A-3** – A copy of the transfer memo bearing No.No.B1/5/R/2019 issued by the 2nd respondent dated 12.4.2019.
 - 5. Annexure A-4** – A copy of the reply letter to Annexure A-2 representation issued by the 2nd respondent bearing No.B1/5/R/2019 dated 8.5.2019.
 - 6. Annexure A-5** – A copy of the representation submitted by the applicant before the 1st respondent dated 15.5.2019.
 - 7. Annexure A-6** – A copy of the letter issued by the 2nd respondent bearing No.B1/5/R/2019 dated 19.6.2019.
 - 8. Annexure A-7** – A copy of the reply letter to Annexure A-6 issued by the 2nd respondent to the applicant dated 24.6.2019.
 - 9. Annexure A-8** – A copy of the transfer memo No.B1/5/R/2019 dated 2.7.2019 issued from 2nd respondent to the applicant.
 - 10. Annexure A-9** – A copy of the communication No.ST/9-1/Dlgs/NR/2015(Pt) dated 5.7.2019 from the office of the Chief Post Master General, Kerala Circle, Trivandrum.
 - 11. Annexure A-10** – A copy of the reply issued by the 2nd respondent bearing No.CCC/PGRAM dated 5.7.2019.
 - 12. Annexure A-11** – A copy of the complaint submitted by the applicant to the office of the Directorate of Public Grievance dated 12.7.2019.
 - 13. Annexure A-12** – A copy of the complaint registered by the applicant to Court of Chief Commissioner for Persons with Disabilities (DIVYANGJAN) bearing Case No.11345/1022/2019 dated 8.8.2019.
 - 14. Annexure R-1** – A copy of the revised Transfer Policy Guidelines issued vide Directorate Letter No.141-141/2013-SPB-II dated 17th January 2019.
 - 15. Annexure R-2** – A copy of the Letter No.Staff/29-2/2018 dated 1.5.2019 issued by the 3rd respondent.
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