

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI.

O. A. No. 509 of 1994

New Delhi, this the 18th day of April, 1994.

Hon'ble Mr B.N.Dhoundiyal, Member(A)

Shri Karan Syal,
S/O Shri B. S. Syal,
R/O E-71, Narayana Vihar,
New Delhi 11028. Applicant
(through Mr Romesh Gautam, Advocate).

vs.

1. Union of India,
through Director-General/Secretary,
Ministry of Communications,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi.
2. Department of Posts through
Assistant Director-General,
Ministry of Communications,
Dak Bhawan, Sansad Marg,
New Delhi.
3. Department of Posts through
Post Master General,
Rajkot Region, Rajkot.
4. Shri R. S. Gupta,
Post Master General,
Rajkot Region, Rajkot.
5. Department of Posts through
Assistant Post Master General,
Office of the Post Master General,
Rajkot Region, Rajkot. Respondents.
(through - none)

ORDER(oral)

(delivered by Hon'ble Mr B. N. Dhoundiyal, Member(A))

The applicant, in this O. A., had come to this Tribunal earlier by way of O. A. No. 1931 of 1993, decided on 24th December, 1993. The applicant is aggrieved by his transfer but the Tribunal came to the conclusion that he had failed to prove that his transfer orders were issued either due to extraneous considerations or due to malafidies. The O. A. was, therefore, dismissed. The following observations were made by the Supreme Court, while dismissing the S.L.P. :

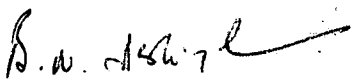
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"We cannot find any ground to interfere with the order passed by the Tribunal. Special Leave petition is dismissed. However, it is open to the petitioner to make a representation to the authorities requesting for giving posting at nearby place and also for the payments of past salary. The said representation if filed, may be given due consideration."

2. As the matter has already been considered by this Tribunal, it is not open at this stage to enter into the merits of the case once again. However, in view of the observations of the Hon'ble Supreme Court quoted above, the respondents are directed to give due consideration to the representation made by the applicant before giving effect to the transfer orders.

3. The O.A. is disposed of at the admission stage itself with the above direction. No costs.
Out today.


(B.N.Dhoundiyal)
Member (A)

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