



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**O.A. No.60/433/2020
M.A. NO.60/603/2020**

Date of decision: 27.7.2020

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. AJANTA DAYALAN, MEMBER(A).**

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P.D. Singh Thakur, S/o Late Shri Bhim Singh Thakur, age 59 years, presently working as Assistant Postmaster General (Investigation) in the office of the Chief Postmaster General, Punjab Circle, Sandesh Bhawan, Sector 17-E, Chandigarh-160017.

...APPLICANT

BY ADVOCATE: SH. D.R. SHARMA.

VERSUS

1. Union of India through Secretary, Ministry of Information & Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Director General (Posts), Department of Posts, Dak Bhawan, Ashoka Road, New Delhi-110001.
3. The Chief Postmaster General, Punjab Circle, Sandesh Bhawan, Sector 17-E, Chandigarh-160017.

...RESPONDENTS

BY ADVOCATE: SH. SANJAY GOYAL.



ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. Heard learned counsel for the applicant, via Video-Conferencing during ongoing Covid-19 pandemic.
2. By means of present O.A., the applicant has impugned order of transfer dated 08.07.2020 (Annexure A-1), whereby applicant has been transferred from Chandigarh to Ludhiana. Applicant has taken various grounds for invalidation of the impugned order, star one being that he is going to retire within eight months.
3. Learned counsel for the applicant submits that transfer order is in violation of the policy, therefore, the same be quashed and set aside.
4. Upon notice of motion, respondents have filed written statement, wherein they have submitted that in terms of policy dated 04.04.2011 (Annexure R-7) maximum period for stay at a particular station is six years, therefore, applicant cannot be allowed to stay at the present place of posting. However, he does not dispute that it is settled proposition of law that if a person is going to retire within one year, then he should not be transferred.
5. In view of the above, we direct the applicant to submit a representation to the concerned authority within seven days from today. On receipt of representation within the stipulated period, the authority will consider and decide the



same by passing a reasoned and speaking order as per law and policy, expeditiously but not later than 15 days. While deciding the representation of the applicant, respondents are also directed to consider fact and effect of Annexure A-8.

6. The O.A. along with M.A. stands disposed of in the above terms.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 27.07.2020.
Place: Chandigarh.

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