

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00730/2019
&
Miscellaneous Application No. 180/00275/2020 in
Original Application No. 180/00730/2019

Friday, this the 28th day of August, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Dhanya V.A., W/o. Suraj S. Pillai, aged 33 years, GDSMP,
 Kuzhimattom SO, Changanassery Postal Division, residing at
 Vysakh (H), Chirakkadavu PO, Chirakkadavu, Kottayam District-
 686 520, Mob. : 9497744224. **Applicant**

(By Advocate : Mr. V. Sajith Kumar)

V e r s u s

1. Union of India, represented by Secretary to Government,
 Department of Posts, Ministry of Communications, Government of
 India, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum-695 033.
3. The Postmaster General, Central Region, Kochi, Kerala-682 020.
4. The Superintendent of Post Offices, Changanassery Postal Division,
 Changanassery – 686 101. **Respondents**

(By Advocate : Mr. E.N. Hari Menon, ACGSC)

This application having been heard on 28.08.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard the Advocate appearing for the applicant and the Advocate appearing for the respondents, through video conferencing.

2. The applicant is aggrieved by the non-consideration of her application for transfer to the post of GDS MP, Chakompathal SO in spite of full compliance with the norms of transfer and existing vacancy. She had filed this OA seeking the following reliefs:

“(i) To declare that the respondents are bound to consider the claim of the applicant for transfer in Annexure A2 in terms of Annexure A7 instructions as GDSMP Chakompathal and the respondents have no authority to reserve the post of GDS MP, Chakompathal SO for compassionate appointment.

(ii) To direct the 3rd respondent to consider the claim for transfer in Annexure A2 in the light of Annexure A7 instructions and to grant her a transfer appointment as GDS MP Chakompathal expeditiously.

(iii) Grant such other reliefs as may be prayed for and as the Court may deem fit to grant, and

(iv) Grant the cost of this Original Application.”

3. When the matter came up for consideration today, learned counsel for the applicant submitted that MA No. 180/275/2020 had been filed by the applicant for a direction to the respondents to consider and dispose of Annexure A8 fresh representation filed by her within a time frame. She will be satisfied if a reasoned order is passed on her representation. The counsel for the respondents has no objection to it. They had filed reply statement also.

4. In view of the limited relief sought by the applicant, without going into the merits of the case, the competent authority is directed to consider and dispose of Annexure A8 representation filed by the applicant in the light of relevant rules and regulations by passing a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order.

5. The Original Application and MA No. 180/275/2020 are disposed of as above. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

Annexure A1 – True copy of the memo No. GL/GDSP/Kuzhimattom dated 27.11.2015 issued by the Assistant Superintendent of Post Offices, Changanassery Sub Division.

Annexure A2 – True copy of application dated 25.5.2019 submitted by the applicant to the 3rd respondent.

Annexure A3 – True copy of the medical certificate dated 4.4.2019 issued by Dr. Thankananthan M.C., Consultant Physician, District Hospital, Kottayam.

Annexure A4 – True copy of the letter No. B2/GDS TFR/DVA dated 30.5.2019 issued by the 4th respondent to the 3rd respondent.

Annexure A5 – True copy of the memo No. ST/Tfr Genl/2019 dated 21.8.2019 issued from the office of the 3rd respondent.

Annexure A6 – True copy of the letter No. RTI/R-139/2019 dated 20.9.2019 from the office of the 3rd respondent.

Annexure A7 – True copy of the order No. 17-31/2016-GDS dated 4.1.2019 issued by the Ministry of Communications.

Annexure A8 – True copy of the request for transfer dated 21.4.2020 along with its translation submitted by the applicant to the 3rd respondent.

Annexure A9 – True copy of the letter NO. B2/GDS TFR/DVA dated 11.5.2020 issued by the 4th respondent to the applicant.

RESPONDENTS' ANNEXURES

Annexure R1 – True copy of Postal Directorate Office Memorandum dated 25.6.2018.

Annexure R2 – True copy of Government of Posts letter No. 17-1/2017-GDS dated the 30.5.2017.