

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/284/2020

HYDERABAD, this the 17th day of June, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

1. K. Ram Mohan Rao, S/o. K. Bujanga Rao,
Aged about 48 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
2. S. Ravi Kumar, S/o. S. Venkateshwarlu,
Aged about 45 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
3. M. Chandrasekhar, S/o. Late M. Lingaiah,
Aged about 50 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
4. B. Shravan Kumar, S/o. B. Krishna Murthy,
Aged about 56 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
5. G. Y. Venu Gopal, S/o. G. Yellaiah,
Aged about 54 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
6. Mohd. Ayub, S/o. Late Mohd. Yousuf,
Aged about 57 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
7. M. Faiz Pasha, S/o. M.A. Khuddus,
Aged about 45 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.
8. P. V. Ravi Shankar, S/o. P.V.Govindan,
Aged about 50 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.



11. A.V. Subba Rao, S/o. A.V.S.N. Murthy,
Aged about 54 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.

10. S. Sujatha, W/o. K. Krishna,
Aged about 54 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.

11. K.C.S. Phaneendra Kumar, S/o. K.V. Subba Rao, Aged about 56 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.

12. D. Rohini, W/o. Vamshidhar,
Aged about 44 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.

13. A. Srinivasa Rao-III,
S/o. Late A. Venkata Ratnam,
Aged about 49 years, Occ: Senior Accountant,
O/o. General Manager (Finance),
Postal Accounts, AP Circle, Stationed at Hyderabad.

... Applicants

(By advocate: Dr. A. Raghu Kumar)

Vs

1. Union of India, rep by its
Secretary, Department of Posts, Dak Bhavan,
New Delhi-110001.
2. The Member (Personal),
Postal Board, Department of Posts,
Dak Bhavan, New Delhi - 110001.
3. The Senior Deputy Director General (PAF), PA Wing, Department of Posts, Dak
Bhavan, New Delhi-110001.
4. The Chief Postmaster General,
Telangana Circle, Abids, Hyderabad-1.
5. The Chief Postmaster General,
AP Circle, Vijayawada-13.
6. The General Manager (Finance),
Postal Accounts, AP Circle, Vijayawada-13.
7. The Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
8. Didigam Somesh,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.



9. Thentu Ravindra,
Occ: Senior Accountant,
O/o, Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
10. Sandeep Kumar Yadav,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
11. Ms. Yogitha Sagar,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
12. Marella Srinivas,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
13. Koppaka Uma Shankar,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
14. Ch. Rushikesh,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
15. Smt. A.L. Prasanna,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
16. P. Naganjaneyulu,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal), Telangana Circle, Hyderabad-1.
17. M. Soma Sekhara Naidu,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal),
Telangana Circle, Hyderabad-1.
18. Smt. G. Yamini Krishna Yeni,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal),
Telangana Circle, Hyderabad-1.
19. B. Ravi,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal),
Telangana Circle, Hyderabad-1.
20. K. Nagaraju,
Occ: Senior Accountant,
O/o. Director of Accounts (Postal),
Telangana Circle, Hyderabad-1. ... Respondents

(By advocate: Mr. B. Madhusudhan Reddy, Addl. CGSC)

ORAL ORDER
{As per Hon'ble Mr. B.V. Sudhakar, Administrative Member}

OA is filed in regard to the transfer of the applicants from Hyderabad to Vijayawada to work in Postal Accounts Office, at Vijayawada, as Senior Accountants.



2. Brief facts of the case are that the respondents have created a Postal Accounts Office at Vijayawada consequent to the bifurcation of the Andhra Pradesh State and the formation of Andhra Pradesh Postal Circle. Applicants allege that the private respondents have been promoted to the post of Senior Accountants on 20.03.2020 instead of 01.01.2020 in order to enable the private respondents to be retained at Hyderabad. Aggrieved over the same, the OA has been filed.

3. The contentions of the applicants are that private respondents are juniors to the applicants and therefore, they should have been transferred to Vijayawada as per the relevant Postal Directorate orders. Further, instead of abiding by the orders of the competent authority to promote the private respondents on 01.01.2020, they were promoted on 20.03.2020 after the orders of transferring the applicants from Hyderabad to Vijayawada were issued on 06.03.2020 by the 4th respondent. Applicants contend that this action of the respondents is unfair and arbitrary.

4. Heard both the counsel and perused the material on record.

5. Learned counsel for the respondents submitted that the action of the respondents in transferring the applicants is as per the guidelines of the Postal Directorate issued from time to time. Applicants had to be transferred as per the orders of the 4th respondent on 06.03.2020, on which date, applicants were junior-

most and as on that date, private respondents were not even in the post of Senior Accountants. Hence, there was no scope to transfer them to Vijayawada on the date referred to.



6. The impugned order dt. 06.03.2020 has certain relevant clauses in paras 6 & 7 wherein it is stipulated that the officials transferred to Vijayawada shall continue to work in Hyderabad till they get proper accommodation at Vijayawada. It is also stated therein that they will handle PAO, Vijayawada work and report to GM (Finance), A.P. Circle. Besides, the cases of employees who have sought re-allotment to Hyderabad from Vijayawada will be examined by the competent authority under Rule 37 or Rule 38 of P & T Manual Vol. III.

7. In view of the above clauses, applicants could have made representations in response to the impugned order issued on 29.05.2020. Learned counsel for the applicants stated that the applicants could not make representations in view of the difficulties faced due to Covid and that there is urgency for issue of interim order since the applicants have been directed to report to duty by 08.06.2020.

8. Considering the submissions made by both the counsel, it would be appropriate and fair to direct the applicants to make representations to the competent authority stating the Rules and law under which they are requesting for their retention at Hyderabad, within a period of 2 weeks from the date of receipt of this order and thereafter, the respondents shall dispose of the representations keeping in view the guidelines issued by the Postal Directorate, with respect to Postal bifurcation and also the grounds raised in the OA, within a period of 8 weeks from the date of receipt of such representations, by issuing a speaking and reasoned order. Till the disposal of the representations, as directed above,

applicants shall be allowed to work from Hyderabad and attend to the work of PAO, Vijayawada, as ordained in para 6 of the impugned order dt. 06.03.2020. The applicants would be at liberty to approach this Tribunal within a week's time from the date of disposal of representations, in case their grievance persists and if they so desire.

With the above directions, the OA is disposed of, at the admission stage.

There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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