

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH :: AT HYDERABAD**

OA/021/00343/2020

HYDERABAD, this the 15th day of July, 2020.

HON'BLE MR. ASHISH KALIA : JUDICIAL MEMBER
HON'BLE MR. B.V.SUDHAKAR : ADMINISTRATIVE MEMBER

Banothu Bhaskar, S/o. late Banothu Devala,
Age 59 years, Working as Sub Postmaster,
Bank Street T.S.O, Suryapet.

...Applicant

(By Advocate: Mr. M. Venkanna)

And

1. The Union of India, rep. by its Secretary,
Government of India, Ministry of Communications and IT,
Department of Posts – India,
Dak Bhavan, Sansad Marg, New Delhi – 110 001.

2. The Chief Postmaster General,
Telangana Circle, Dak Sadan,
Hyderabad – 500 001.

3. The Postmaster General,
Hyderabad Region, Hyderabad – 500 001.

4. The Superintendent of Post Offices,
Suryapet Division, Suryapet – 508213.

..Respondents

(By Advocate: Mrs. M. Swarna, Addl. CGSC)

Oral Order

(per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing

2. The OA is filed in regard to the request made by the applicant for retention in the same post or extension of station tenure beyond six years in view of the latest guidelines of the respondents.

3. Brief facts of the case are that the applicant was expecting that the respondents would allow him to continue as Sub Post Master, Bank Street SO, Suryapet for full tenure of 3 years and has opted for the said post and thereafter, he was under the impression that he can avail concession of retention in the very same station in view of his retirement within one year i.e. on 31.08.2021. However, the respondents have taken a different view keeping in mind the directions contained in Memo dt. 17.01.2019 of the respondents as elaborated at para 4.iv of the OA. Aggrieved over the same, the OA has been filed.

4. The contentions of the applicant are that the guidelines contained in Memo dt. 17.01.2019, which are favourable to him, have not been reckoned. The station tenure of 6 years was relaxed and under this clause, the applicant could have been granted retention. Further, in view of Covid-19 situation, the respondents shifting the applicant by denying retention is unfair. Revised

guidelines dated 17.03.2020 do provide a clause to order retention even in respect of the persons who have completed station tenure of 6 years, at least up to 31.03.2021. Applicant claims that the respondents have not followed the revised guidelines in his case, which is illegal and arbitrary.

5. Heard learned counsel for both sides and perused the material on record.

6. Learned counsel for the applicant has drawn the attention of this Tribunal to para 2 of the letter dt.17.03.2020 (Annexure II) of the respondents. Besides, he also emphasised on para 1(f) of the letter dt. 19.05.2020 (Annexure III) wherein the guidelines for tenure transfer of 2020-21 were issued for ensuring economy. Learned counsel for the applicant claimed that the second representation made by the applicant on 30.06.2020 was also rejected and hence, he has been forced to come over to the Tribunal. However, learned counsel for the respondents submitted that the second representation is pending with the Director of Postal Services, which was flatly denied by the learned counsel for the applicant.

7. In view of the above circumstances, the applicant is directed to make a comprehensive representation to the competent authority citing the relevant rules under which he is eligible to be retained, within a week from the date of receipt of this order and the respondents shall dispose of the same in accordance with the latest guidelines issued by the respondents and as per law, within a

period of four weeks from the date of receipt of such representation, by issuing a speaking and reasoned order. Till the representation of the applicant, as directed above, is disposed by the respondents, the applicant shall be allowed to work in the post in which he is presently working.

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

evr