

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/864/2019 & MA/20/177/2020

HYDERABAD, this the 11th day of December, 2020

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



1. R. Sudhakar, S/o. Joseph,
Aged about 58 years,
Postal Assistant, Old Town Post Office,
Anantapur ó 515 005.
2. T.K. Krishna, S/o. T.K. Srinivasarao,
Aged bout 56 years,
Postal Assistant, Head Post Office,
Anantapur ó 515 005.
3. G. Sreedhar Babu, S/o. G. Sathyanarayana,
Aged about 54 years,
Postal Assistant, Head Post Office,
Anantapur ó 515 005.

...Applicants

(By Advocate : Sri K. Siva Reddy)

Vs.

1. Union of India rep. by
Secretary, Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi ó 110 001.
2. The Chief Postmaster General,
Andhra Pradesh Circle,
Vijayawada ó 520 013.
3. Superintendent of Post Offices,
Anantapur Postal Division,
Anantapur ó 515 005.
4. Postmaster General,
Kurnool Region, Kurnool ó 518 002.

....Respondents

(By Advocate : Sri B. Venkanna
for Sri A. Radha Krishan, Sr. PC CG)

ORAL ORDER
(As per Hon'ble Mr. Ashis Kalia, Judicial Member)

Through Video Conferencing:



The O.A. is filed seeking to declare the action of the respondents in transferring the applicants in violation of 1st Respondent instructions dated 17.01.2019, 2nd Respondent's orders dated 28.5.2019 and the orders of this Tribunal dated 6.6.2019 on the subject matter of rotational transfers as arbitrary, illegal and violative of the Articles 14 & 16 of the Constitution of India.

2. The brief facts of the case are that the applicants are working in the cadre of Postal Assistant in the Department of Posts and are presently working under the administrative control of the 3rd respondent. Earlier when they approached this Tribunal on irregular proposal of transfers, this Tribunal vide order dated 6.6.2019 in O.A. No.321/2019 categorically directed the respondents to take into account the extant policy including the contents of letter dated 28.1.2019 before actual transfers are made. The respondents violated the directions of the Tribunal and transferred the applicants to different posts/ stations in the middle of the academic year. Aggrieved over the same, the present O.A. has been filed.

3. Heard Sri K. Siva Reddy, learned counsel for the original applicants and Sri B. Venkanna representing Sri A. Radhakrishna, learned counsel for the Respondents in the O.A.

4. MA/20/177/2020 is filed by the respondents praying to vacate the interim order granted by this Tribunal on 17.09.2019. It is stated by the respondents that the applicants are transferred to Ananthapur Division on completion of their term. The Applicants No.1 & 3 are transferred and posted within the town of Ananthapur whereas the 2nd Applicant is transferred to a place 9 kms away from Ananthapur. Learned counsel for the applicants submits that till the academic year is finished, let the applicants be continued at the present place of posting because normally the transfers are not carried out in the middle of the academic year. On the contrary, learned counsel for the Applicants in the MA/ Respondents in the O.A. stated that there are no school going children to the applicants, and prayed for vacation of the interim order.



5. After considering the rival contentions, this Tribunal is of the view that the transfer is effected to nearer places only. Because of the Covid situation, this Tribunal considers the request of the applicants for 30 days. Thereafter, they shall be relieved to join the new place of their posting. Accordingly, MA/20/177/2020 is disposed of.

6. With the above direction, nothing survives in the O.A. for adjudication. Accordingly, O.A. is disposed of. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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