

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.210/130/2021

Date of Decision: 15th February, 2021

CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Vishwas W. Badhiye, Age – 35 years, Postal Assistant (CO/RO),
Kharodi. Sub Post Office, Mumbai 400 095.
R/ât: 701-Riddhi-Chaya CHSL, Plot E-31, Sector – 6,
New Panvel (E) 410 206, Mob. No.9890627627.

- Applicant

(By Advocate Ms. Annie Nadar)

Versus

1. The Union of India, through the Secretary,
Ministry of Communications, Department of Posts,
Dak Bhawan, Sansad Marg, New Delhi 110 001.
Email ID- secretary-posts@indiapost.gov.in.
2. The Chief Postmaster General, Maharashtra Circle,
2nd Floor, Mumbai GPO, Old Building, Mumbai 400 001.
Email ID- cpmg_mah@indiapost.gov.in.
3. The Postmaster General, Mumbai Region,
1st Floor, Mumbai GPO, Mumbai 400 001.
Email ID- pmgmumbairegion@gmail.com.
4. The Senior Superintendent of Post Offices,
Mumbai North West Division, Kandivali East, Mumbai 400 101.
Email ID- demumbainorthwest.mh@indiapost.gov.in. - Respondents

(By Advocate Shri V.S. Masurkar)

ORAL ORDER

Per : Ravinder Kaur, Member (J)

Present:

Advocate Ms. Annie Nadar for the
applicant. Advocate Shri V.S. Masurkar for the
respondents.

2. Heard on admission.

3. Vide present OA, the applicant has

challenged the impugned orders dated 25.08.2020 and 26.08.2020 whereby the present applicant, PA, Regional Office, Mumbai attached to Mumbai North-West Division is temporarily attached to Kharodi PO, Mumbai in the interest of service till further order.

4. On query, learned counsel for the applicant admits that the applicant has joined at the new place of his posting. A perusal of record shows that the applicant had made representations dated 26.08.2020 and, thereafter on 14.10.2020. The representation dated 26.08.2020 was made immediately on issuance of the impugned order A-2 whereas the representation dated 14.10.2020 was made subsequent to his joining at the new place of posting. Since both these representations are still awaiting decision of the respondents, it would meet the ends of justice, if the respondents are directed to dispose of these representations in a time-bound manner.

5. Learned counsel for the respondents has no objection to the same.

6. Learned counsel for the applicant submits that till the disposal of the representations, the operation of the impugned orders be stayed as the transfer order is malafide. Since the applicant has

already joined the new place of his posting, it would not be appropriate now to stay operation of these impugned orders, which in fact, have already been executed.

7. Since the applicant has levelled allegation of malafide against the respondents, in addition to his earlier representations with the respondents, he can submit another representation, if required, within one week. The respondents are directed to consider and dispose of the applicant's pending representations, alongwith fresh representation if filed, as per law/rules and regulations vide reasoned and speaking order within five weeks from today. The respondents are further directed to communicate their decision on the representations to the applicant within one week thereafter.

8. With these directions, the Original Application is disposed of. No order as to costs.

(Ravinder Kaur)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

ma.

JD
17/02/21

