

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.820 of 2004.

Allahabad this the 05th day of August 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J.

Uma Shankar Kushwaha aged about 59 years
S/o late Ram Charit, R/o Village Newada,
Post Sagain Syedraja, District Chandoli.

.....Applicant.

(By Advocate : Sri S.M. Ali/
Sri U Nath)

Versus.

1. Union of India
through Post Master General,
Allahabad.
2. Senior Superintendent of Post Offices
East Division, Varanasi.

.....Respondents.

(By Advocate : Sri Saumitra Singh)

O_R_D_E_R

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for a direction for quashing the impugned transfer order dated 12.06.2004 (Annexure No.1). He has further prayed for a direction to the respondents not to give effect to the impugned transfer order dated 12.06.2004 so far as it relates to the humble petitioner.

2. The applicant is aggrieved by and challenging the impugned transfer order dated 12.06.2004 thereby transferring the applicant merely eleven months before his date of superanuation whereas the applicant has joined at this present place of posting on 11.02.2003.

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3. Learned counsel for the applicant submitted that the applicant is going to superannuate on 30.06.2005 so the action of the respondents in transferring the applicant ~~is~~ on the verge of retirement, is against the principles of natural justice.

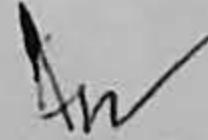
4. Sri Saumitra Singh learned counsel for the respondents submitted that in fact applicant is being transferred on promotion to a place which is only within District so no illegalitiy is being committed by the respondents.

5. Learned counsel for the applicant submitted that the applicant has handed over the charge and is continuing on sick leave. He further submitted that applicant will be satisfied if his representation filed as Annexure A-7 dated 14.07.2004 addressed to Post Master General, Allahabad is decided ^{sympathetically} as per Rules within a specific period.

6. After considering the submissions of counsel for the parties, I am of the view that interest of justice shall better be served if the representation so filed by the applicant on 14.07.2004 (Annexure A-7) is decided by the respondents within stipulated period.

7. Accordingly, the O.A. is finally disposed of at the admission stage itself without calling for counter by issuing a direction to the Post Master General, Allahabad to consider and decide the representation of the applicant dated 14.07.2004 (Annexure A-7) by a reasoned and speaking order within a period of one month from the date of receipt of a copy of the order.

No costs.


Member-J.