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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD

ORIGINAL APPLICATION NO.1070 OF 2005

ALLAHABAD THIS THE 23<sup>rd</sup> DAY OF SEPTEMBER, 2005

Hon'ble Mr. K.B.S Rajan, J.M

Abdul Aziz, Son of Shri Rashool Mohammad, R/o Mohalla-Rahuwalganj, Gandhi Nagar, Basti, presently posted as Postal Assistant.

.....Applicant.

(By Advocate : Sri Pankaj Srivastava)

Versus.

1. Union of India through the Secretary, Ministry of Communication, Post & Telegraph, Government of India, New Delhi.
2. Superintendent of Post Offices, Basti Division, Basti.
3. Shri Vinod Kumar Srivastava, son of late Dev Prakash Srivastava at present residing at Ganpat Sahai Road, (near Basti Sadar Block) Post -Gandhi Nagar, District Basti presently employed as Sub Post Master I.T.I Post Office, Katra, District Basti.

.....Respondents

(By Advocate : Sri S. Srivastava)

ORDER

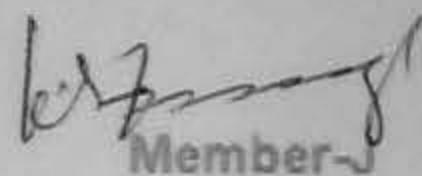
This O.A has been filed challenging the order-dated 26.8.2005 whereby the applicant's original transfer was cancelled. The reason for cancellation of this order was that in place where the applicant was transferred, the existing incumbent to that post has been allowed to continue by an order dated 23.8.2005 in O.A. No.988/05. The impugned order clearly stipulates the aforesaid reason as well. The applicant contends that his request for transfer would be frustrated even after his posting, in case the impugned order is sustained. Since the impugned order has been as ~~change~~ <sup>a chain</sup> reaction of the said order in O.A. NO.988/05 at best the impugned order can be so modified as make the transfer order "*kept in abeyance*" instead of being

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cancelled. The respondents are directed to suitably modify the impugned order dated 26.8.2005 on the above line.

2. With the above direction, the O.A. is disposed of with no order as to costs.

  
Member-J

Manish/-