

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00424/2020

DATED THIS THE 09TH DAY OF APRIL, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

T.R. Pushpalatha,
W/o A.N. Vishwanath,
Aged about 58 years 4 months
Working as Accounts Officer,
Office of the General Manager (PAF),
GPO Building, 3rd Floor,
Bengaluru 560 001
Residing at Office Quarters, 1st Floor,
Mahalakshmi Layout Post Office,
Bengaluru 560 086

....Applicant

(By Advocate Shri Ramachandra - through video conference)

Vs.

1. The Union of India,
Represented by its Secretary,
Ministry of Communication,
Department of Posts,
Dak Bhavan,
New Delhi 110 001.

2. The Senior Deputy Director General
Ministry of Communication,
Department of Posts,
Postal Accounts Wing,
Dak Bhavan, New Delhi 110 001

3. The General Manager,
Postal Accounts and Finance,
Karnataka Circle, 3rd Floor,
GPO Building, Bengaluru 560 001

4. The Deputy Director,
Office of the General Manager,
Postal Accounts & Finance,
Karnataka Circle, 3rd Floor,
GPO Building, Bengaluru 560 001

5. Smt. Uma Ramaswamy,
Aged about 59 years 11 months
Working as Senior Accounts Officer,
Office of the Post Master General,
Bangalore Region,
Bangalore 560 001

....Respondents

(By Shri M.V. Rao, Senior Panel Counsel for Respondents No. 1 to 4 -
through video conference,
None for Respondent No. 5)

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

“a) Issue writ of certiorari or any other appropriate writ or order or direction, quashing the impugned Office Order bearing Ref. No. 63/Admn/Per.1/2(b)(ii)/Vol II dated 10.08.2020 issued by the 4th Respondent, true copy of which is been produced and marked as Annexure-A1 in so far as it relates to the applicant is concerned vide Sl. No. 1 and in so far as it relates to the 5th Respondent is concerned vide Sl. No. 2, as the same is illegal, arbitrary, unjust, malafide, without application of mind, and violative of transfer guidelines dated 31.12.2013, 02.07.2015 and 19.05.2020 and thus violative of Articles 14 and 16 of the Constitution;

b) Issue writ of mandamus or any other appropriate writ or order or direction, directing the official respondents to continue the applicant as Accounts Officer, Office of the General Manager (PAF), GPO Building, Bengaluru 560 001”

2. At the very outset, Shri Ramachandra, learned counsel for the applicant, submitted that before filing the present Original Application, the applicant had submitted a representation dated 13.08.2020 before Respondent No. 4 which was rejected by way of a cryptic order dated 17.08.2020. Aggrieved by the said order, the applicant submitted yet one more representation dated 24.08.2020 before the Senior Deputy Director General, Department of Posts, New Delhi on which no decision has been taken upto now. Learned counsel further submitted that the applicant would be satisfied if a direction is issued to the Senior Deputy Director General, Department of Posts, New Delhi to decide her pending representation/appeal within a timeframe.

3. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application without entering into the merits of the case.

4. Accordingly, the Original Application is disposed of with a direction to the Senior Deputy Director General, Department of Posts, New Delhi to decide the applicant's pending representation/appeal dated 24.08.2020 and pass a reasoned and speaking order in accordance with the policy guidelines prevalent in the respondent organization. Before taking such a

decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of four weeks from the date of receipt of a certified copy of this order. So long as a decision is taken on the applicant's aforesaid representation/appeal, she will not be displaced from her present place of posting.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/ksk/