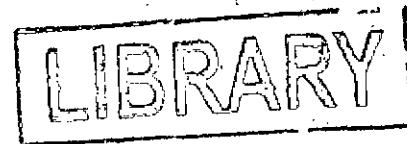


**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**



OA/350/116/2021

Date of Order: 08.03.2021



Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Nirmal Kr. Saha,
Son of Late Kali Pada Saha,
Aged about 52 years,
working as SA, Burdwan RMS,
residing at 27/1, Ramlal Dutta Road,
Bhadrakali Uttarpara,
Hooghly-712232.

..... Applicant.

Versus

1. Union of India service through
the Secretary to the Govt. of India,
Ministry of Communication,
New Delhi – 110001.
2. The Chief Post Master General,
Yogayog Bhawan, Yogayog Bhawan,
Kolkata -700012.
3. Sr. Superintendent of Post Offices,
RMS 'WB' Div., Howrah- 711101.

..... Respondents.

For the Applicant(s) : Mr. A.Chakraborty, Counsel

For the Respondent(s): Mr. S.Paul, Counsel

ORDER (ORAL)

Bidisha Banerjee, Member (J):

Heard Ld. Counsel for the parties.

2. The applicant has preferred this O.A. to seek the following relief:

"i) An order do issue directing the respondents to consider the prayer of the applicant for his transfer from Burdwan RMS to

Howrah RMS since his prayer for transfer was entered in the Request Registrar and prayer of the other SAS who made application after the applicant were considered.

ii) The decision taken by the Placement Committee vide Office Order dated 02.08.2020 rejecting the prayer of the applicant for transfer cannot be sustained in the eye of law and therefore the same may be quashed."

3. Ld. Counsel for the respondents submits that the minutes of the meeting of Transfer and Placement Committee held on 26.08.2020 has noted that the applicant while working at MA Howrah RMS had misbehaved, manhandled and physically assaulted one Shri R.K.Nayak, the then ASP, MA Howrah RMS and the transfer and posting of the applicant from Burdwan RMS to Howrah RMS will be subversive of smooth functioning of the office.

4. Ld. Counsel for the applicant submits that his representation may be placed before the Placement Committee for reconsideration in view of the fact that Shri R.K.Nayak has moved out of Howrah RMS and, therefore, there should not be any impediment for posting the applicant in Howrah, RMS.

5. In view of the submissions made by both the sides, we feel it proper to direct the competent respondent authority to obtain an undertaking from the applicant that henceforth he will not indulge in any activity or conduct himself in a manner unbecoming of a Govt. servant against any of his colleagues in the office and reconsider his representation by placing the same before the Placement Committee. Let appropriate order be issued within a period of four weeks from the date of receipt of a copy of this order.

6. O.A. accordingly stands disposed of. No order as to costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

RK