

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD BENCH,
ALIAHABAD.

O.A.No.903 of 1992.

Harndra Singh Applicant.

Versus

Senior Superintendent of Post Office &
others Respondents.

Hon'ble Mr.Justice S.K.Dhaon.V.C.

The applicant came to this tribunal when he was transferred from Bhatpur Rani ,Distt.Deoria to Raja Bazar Khadda.

2. The basis of the applicant ^{lien} is that while posting at Bhatpur Rani, he was doing the job of Saving Bank Postal Assistant and there he was getting Rs.60/- per month in addition to his pay due to passing of an incentive bonus Scheme. He ^{is being} posted at Raja Bazar Khadda as Postal Assistant. Therefore, there could be a loss of Rs.60/- p.m.

3. Km.Sadhana Srivastava, on behalf of the respondents, states that from November,1992, the applicant has been re-transferred to Bhatpur Rani. This ~~again~~ should have rendered the application as ^{will be} infructuous. I make it clear that there ~~is~~ no loss in the emoluments of the applicant, in view of the order passed in November,1992.

4. With these observations, the application stands disposed of finally ^{but} without any order as to costs.

DATED : NOVEMBER 27, 1992

Sug
VICE CHAIRMAN.

(ug)



BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

SUPPLEMENTARY AFFIDAVIT

ON BEHALF OF THE APPLICANT

IN

REGISTERED (O A) NO. 903 of 1992.

Harendra Singh Applicant.

Versus

Union of India and other Respondents.

Affidavit of Harendra Singh aged about 45
years son of Sri Janardan Singh

working as P.A. at Bhatpar Rani Post

Office District Deoria. (Deponent)

I, the deponent named above do hereby solemnly
affirm and state on oath as under:-



2/2/1 A.

1. That the deponent is the sole petitioner and as such such he is fully acquainted with the facts deposed to below.
2. That the deponent was transferred from the post of S.B.Postal Assistant to Postal Assistant Bhatpar Rani to R.B. Khadda causing a monetary loss of Rs.60 P.M. Being aggrieved the applicant approached the Hon'ble Tribunal and the Transfer order was stayed.
3. That inspite of the service of the Stay order, the deponent was not allowed to work and he was forcible relieved by the Sub Post Master Bhatpar Rani Hence the stay order was not complied with by the concerned authorities and hence the applicants filed contempt petition(Vide C C A No. 1354/1992) against the concerned authorities who had committed the contempt i willingly and intentionally of the order of the Hon'ble Tribunal and notices



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have also been sued against them.

4. That in the meantime the contemner no.2. i.e. Sri S.P. O's Deoria Shri Ram Krishna Adrya, was transferred from Deoria to Azamgarh and new incumbent had joined vice him.

5. That when the new S S P O's Deoria, joined at Deoria, he passed an order dated 18.11.92, that the applicant will retain at Bhatpar Rani which is reproduced as under.

" Shri Harendra Singh designate P.A. R B Khadda

vide this office memo of even no dated

27. 5.92, will retain at Bhatpar Rani SO

Photo copy of the order dated 18.11.1992 is

filed herewith as Annexure II to this affidavit.

6. That in compliance of the order dated 18.11.1992 of S.S.P.O. Deoria, the Sub- Post Master Bhatpar Rani allowed the applicant work as treasurer at Bhatpar Rani and the charge of treasurer was handed over to the applicant by Shri Hari Shanker Prasad on 18.11.1992.



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The true copy of the charge report dated 18.11.1992 is being filed herewith as Annexure III to this affidavit.

7. That since the applicant was not getting salary from the month of July 1992 to till date and his ~~shildern~~ shildern were suffering from Starvation he joined the post of treasurer at Bhat par Rani and immediately thereafter he sent a telegram on 20.11.1992 and a representation on 21.11.1992 to Sri Sr. S.P. Os Deoria by registered post no.2771 and its copy was also sent to the sub-Post Master Bhatpar Rani on the same day by registered post no.2791 against his arbitrary and illegal action .

A Photo copy of the telegram dated 20.11.1992 and representation dated 21.11.1992 are filed as Annexure III & IV to this affidavit.

8. That S..P.M. Bhatpar Rani named Sri Triveni Tripathi has posted his real brother Shri Gopal Tiwari as S.B. P.A. at Bhatpar Rani since the date of transfer of the applicant though he had not passed



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the incentive Bonus Scheme and (examination) even though he was already posted as treasurer at Bhatpar Rani but Sri Gopal Tiwari is officiating against the post of S.B.P.A. by the arbitrary order and action of the S.P.M. Shri Triveni Tripathi . Hence the sub- Post Master , Shri Triveni Tripathi has committed another contempt of this Honourable Tribunal for which he is liable to be severely punished.

I, swear that the contents of para _____ of the of the affidavit and those of paras _____ are based on personal knowledge and those of _____ paras. 5, 6, 7 (P) are based on records and those of paras. 1, 2, 3, 4, 7 (P), 8 are based on information received and those of paras _____ of the affidavit are based on legal advice which all I beleive to me true that no part of it is false and nothing material has been concealed in it. So Help Me God.



22/3/112
(Deponent)

I,

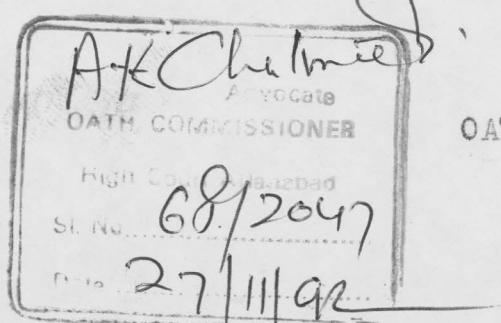
Anand Kumar

Advocate High Court Allahabad declare that the person making this affidavit and alleging himself to be deponent is known to me from the perusal of papers, which he has produced in his possession.

Anand Kumar

Solemnly affirmed before me on this 27th day of Nov. 1992 at about 9.30 a.m./p.m. by the deponent who has been identified by the aforesaid person.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which has been read over and explained to him.



OATH COMMISSIONER

DEPARTMENT OF POSTS INDIA

OFFICE OF THE SR.SUPDT. OF POST OFFICES, DEORIA D.N. DEORIA-274001.

Memo No:- B-5/Corr/Ch.XI dated at Deoria the 16.11.92.

The following transfers and postings order in PA Cadre are hereby issued with immediate effect in the interest of service.

1. Shri Harendre Singh designate PA R.B.Khadda vide this office memo of even no dated 27.5.92 will retain at BhatparRani SO.
2. Shri Hari Shanker Prasad PA BhatparRani to be SPM Deoria Sadar R.S. in the interest of service.

Charge report should be submitted to all concerned.

R.C.S.
Sr. Supdt. of post offices,
Deoria D.N. Deoria -274001.

Copy to:-

- 1-2. The official concerned.
- 3-4. P.F. of the official.
- 5-6. The Sr.P.M. Deoria / P.M. Padrauna .
- 7-9. The SPM Deoria Sadar R.S./ R.B.Khadda/BhatparRani.
- 10-11. Office copy and spare.

