

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH-ALLAHABAD.

O.A. No. 1034 of 1992.

Moti Lal Kushwaha..... Applicant.

Versus

The Union of India & others..... Respondents.

~~Hon'ble Mr. Maharaj Din - J.M.~~  
Hon'ble Mr. Maharaj Din - A.M.

(By Hon'ble Mr. Maharaj Din - J.M.)

The applicant was posted as Asstt. Post-Master, Accounts, Banda on 26.12.91 and from that date he is working on that post at Head Post Office Banda.

2. The applicant alongwith Sri Lallan Trivedi, Postal Assistant, Birsinghpur Satna (under Rewa Division (M.P.) moved joint application for mutual transfer on 4.9.90. The said application for mutual exchange applied for, was approved and the applicant was transferred to Rewa District (M.P.). The applicant now because of the changes circumstances made representation for cancellation of the transfer to Rewa (M.P.) The respondent filed reply and resisted the claim of the applicant.

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3. The learned counsel for the parties/however heard at the admission stage and the learned counsel for the applicant has pressed that the directions may be issued to the respondents to re-consider the request of the applicant on his submitting afresh representation. The applicant appeared in the Departmental examination for the post of Asstt. Post Master Accounts and was declared successful. The applicant was promoted on the post of Asstt. Post Master Account Banda on adhoc basis. It is said that there are number of posts lying vacant of Asstt. Post-Master Accounts in Banda. As such he can be adjusted thereon the promotional post. The applicant also received the house building advance Rs. 50,000/- and he is constructing a house at Banda. He has therefore, stated that he is not in a position to move out to Rewa on transfer.

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4. Thus considering these facts and the change circumstances after the order of the mutual transfer was passed, it would be just and proper to permit the applicant to submit a fresh representation about the cancellation of his transfer to Rewari. The applicant is therefore directed to submit a fresh representation for cancellation of his transfer within a period of two weeks ~~and~~ from <sup>date of</sup> the/receipt of the copy of this order and the respondents are directed to dispose of the representation by speaking order within a period of two months from the date of the receipt of the representation of the applicant. The O.A. is accordingly disposed off at the admission stage.

*Ambedkar*  
24.9.92  
Member (j).

Dt: Sept. 24, 1992.  
(DPS)