

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 829 of 1993

Allahabad this the 31st day of May 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)  
Hon'ble Mr.M.P. Singh, Member (A)

Jan Mohd, Khan, aged about 45 years, Son of Late Shri Abdul Shakoor, P/o Old Type II Qr.No.2, Head Post Office Colony, Jhansi.

Applicant

By Advocate Shri R.K. Migam

Versus

1. Union of India through Director General(Post), New Delhi.
2. Post Master General, Agra Region, Agra.
3. Senior Superintendent, Post Office, Jhansi Division, Jhansi.

Respondents

By Advocate ~~Shri~~ K.M.S. Srivastava

ORDER ( Oral )

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Jan Mohd. Khan has filed this O.A. seeking relief to the effect that the impugned order dated 07.10.1992, copy of which has been annexed as annexure A-1, be quashed and the respondents be directed to restore the applicant back to his sensitive <sup>posting</sup> position of NSC counter in Head Post Office with the original tenure and with consequential benefits

which he would have drawn but for his premature shifting and for debaring from sensitive post under the impugned order.

2. As per applicant's case, while he was working as Postal Assistant at a Head Post Office, Jhansi and was dealing at N.S.C. counter, there was some mishap by way of alleged fraud in respect of working at that counter and the applicant has been transferred from that N.S.C. counter to Jhansi City <sup>POST</sup> Office as Postal Assistant. The applicant being aggrieved by this transfer, has come up through the present O.A. seeking the relief, as mentioned above.

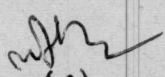
3. THE respondents have contested the case mainly on the ground that the applicant was transferred from Jhansi Head Post Office, to Jhansi City Post Office due to departmental irregularity done by him in N.S.C. counter. It has been clarified in the counter-reply that in this fraud matter, only Sri Virendra Singh and B.K. Khare were found involved but the applicant had to be shifted on the administrative reasons to work on non-sensitive post because he was found to have contravened the departmental rules in the case of N.S.Cs.

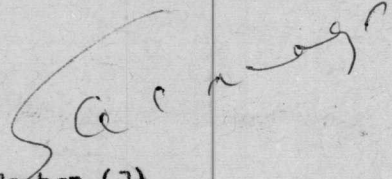
4. Heard, the learned counsel for the rival contesting parties and perused the record.

5. The applicant, as per admitted case, has been transferred from Jhansi Head Post Office to Jhansi City and thereby no shifting from one town to the other. There is also

no mention that due to this shifting, he is suffering anything in his emoluments or allowances. Learned counsel for the applicant has mentioned that this transfer amounts to stigma. To wash or wither the clouds of stigma, it is not the proper forum.

6. For the position as narrated above, we do not find any good reason to interfere with administrative departmental order. The A.A. is dismissed accordingly.  
No order as to costs.

  
Member (A)

  
Member (J)

/M.M./