

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 689 of 2000

Allahabad this the 12th day of October, 2000

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

Kamla Shankar Mishra, S/o Shri Akshaybar Nath Mishra, at present posted as Postal Assistant Saming's Bank Control Organisation, Head Post Office, Mirzapur, permanent address - H.No.318/1-A, Om Gayatri Nagar, Chandpur Salari, Allahabad.

Applicant

By Advocate Shri M. Gautam

Versus

1. Union of India through Director General, Department of Post, Sanchar Bhawan, Sansad Marg, New Delhi.
2. Principal, Chief Post Master General, Uttar Pradesh Circle, Lucknow.
3. Post Master General, Allahabad Region, Allahabad.
4. Regional Director Postal Services, Allahabad Region, Allahabad.

Respondents

By Advocate Shri R.C. Joshi

O R D E R (Oral)

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

The applicant Shri Kamla Shankar Mishra presently posted as Postal Assistant, Head Post Office, Mirzapur, has come up with two fold prayer, first that the respondents no.4 be directed to pass the order and post

See ✓

(1)

the applicant at Allahabad so that he may look after his handicapped wife who remains at Allahabad because of physical disability and the second prayer is for direction to the respondents to make payment of outstanding travelling allowance for movement on transfer in compliance with orders dated 14.06.1996, 08.5.1997 and 25.01.1999. In support of his contention, the applicant has submitted that his wife is physically handicapped and is posted in the Office of Chief Development Officer, Allahabad under the State Government whereas, as per rules and guide lines regarding the posting of husband and wife at one place, may be considered, for which he made several representation to the respondents, but of no avail. He has further mentioned that he is undergoing the mental and physical suffering for being posted at a place away from Allahabad as no one is here to look after his physically handicapped wife and a minor daughter.

2. Shri Joshi opposed the prayer and referred the pleadings in the counter-reply. According to which the petitioner cannot claim his transfer from Mirzapur to Allahabad as a matter of right and also that he is not entitled to travelling allowance as these transfers were made at his own request and also that he cannot claim any T.A. for transfer to Jaunpur, where he did not join.

(5)

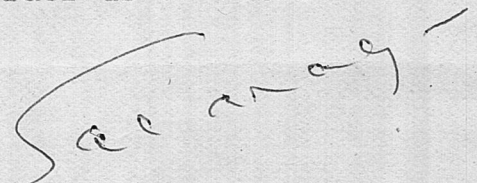
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3. Considered the pleadings and arguments placed from either side.

4. Both the relief sought, ^{is} are practically come within the domain of departmental authorities. The respondent no.4 may consider the representation of the applicant and may, if administratively possible, accommodate the applicant at Allahabad when such occasion arise.

5. Regarding the dispute in payment of transfer allowance, it is directed that the matter be re-examined and appropriate order ^{be} passed with specific mention as to which transfer order was passed on the request of the applicant and which transfer order was passed on administrative ground for which the applicant may be entitled for T.A. The claim of transfer ~~F~~. Allowance may be decided within 4 weeks.

6. The O.A. is disposed of with the above observation. No order as to costs.


Member (J)

/M.M./