

ALLAHABAD BENCH

THIS THE 12TH DAY OF SEPTEMBER, 2000

Original Application No. 692 of 2000

ORAM:

ON MR. JUSTICE R.R.K. TRIVEDI, V.C.

S.K.Singh, a/a 58 years,
V/o C.T.S. Compound, Allahabad.

... Applicant

By Adv: Shri Y.S. Saxena)

Versus

- .. Union of India through Senior Supdt.
R.M.S, A Division, Allahabad.
- .. S.S.R.M.S, Allahabad.

... Respondents

By Adv: Shri Satish Chaturvedi)

O R D E R (Oral)

By Hon. Mr. Justice R.R.K. Trivedi, V.C.)

This application u/s 19 of the A.T. Act 1985, has been filed by the applicant challenging order of transfer dated 24.5.2000 under which applicant S.K.Singh has been transferred from Allahabad to Fatehpur R.M.S on administrative grounds. Learned counsel for the applicant has challenged the order as arbitrary and illegal on the ground that the applicant is Senior Sorter Clerk and has been barely left 2 years to attain the age of superannuation. It is also stated that he is a heart patient and under treatment. Lastly, it has been submitted that the applicant's son and daughter are students of Intermediate and High School respectively and if he is transferred during mid of the Academic session, their academic interest shall suffer adversely.

Shri Satish Chaturvedi, learned counsel for the respondents on the other hand submitted that the transfer of the applicant has been directed in compelling circumstances and two of the Sorters posted at Fatehpur RMS committed misconduct and criminal action and they were transferred to Mughalsarai and Mirzapur. The Govt. work was suffering, the applicant alongwith one more Sorter at Allahabad have been transferred.

 ..p2

(18)

:: 2 ::

I have considered the submissions of the learned counsel for the parties. In my opinion, this Tribunal should not ordinarily interfere with the order of transfer which is a condition of service. The applicant may approach the superior administrative authority in the department and place his grievance against order of transfer which may be tackled administratively.

For the reasons stated above, this application is disposed of finally with the liberty to the applicant to file a representation before Post Master General, Allahabad within three days. It shall be considered and decided by Post Master General by a reasoned order within a week from the date of filing of the application with copy of this order.

In this OA the order of transfer dated 24.5.2000 was stayed by this Tribunal on 27.6.2000. The interim order is continuing. In these circumstances, it is provided that the order dated 24.5.2000 shall not be given effect till 23.9.2000 or till the order is passed whichever is earlier.

VICE CHAIRMAN



Dated: 12.9.2000

Uv/