

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

...

ORIGINAL APPLICATION NO. 897 of 2002.

this the 12th day of August 2002.

HON'BLE MR. C.S. CHADHA, MEMBER(A)

R.G. Verma, S/o Shri Chheda Lal, Presently posted
as Senior Superintendent of post Offices, Allahabad
Division, Allahabad.

Applicant.

By Advocate : Sri K.C . Sinha.

Versus.

1. Union of India through Director General (posts)
(SPG), Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, U.P. Circle,
Lucknow.
3. Post Master General, Allahabad Region,
Allahabad.

Respondents.

By Advocate : Sri R.C. Joshi.

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O R D E R (ORAL)

O.A. No. 897 of 2002

Hon'ble Mr. C.S. Chadha, Member(A)

The applicant in person. Sri V.K. Tewari, Director, postal Services representing the respondents. No counsel for either party as the Bar Association has resolved to abstain from judicial work.

Both the parties have been heard in person.

The applicant has filed this O.A. challenging the transfer order made vide the impugned order dated 9.8.2002 on the ground that he had come to Allahabad on a posting on personal grounds and now he has been posted-out after one and half years.

The representative of the respondents, however, states that the transfer order has been made in accordance with the policy of giving independent charge to the newly recruited candidate of Indian Postal Service who has just completed his probation and is to be posted at Allahabad for giving him an independent charge as Senior Supdt. of post Offices. More-over the applicant has been shifted to Lucknow in a special pay post, where the applicant shall be entitled to special pay of Rs.300/- per month by virtue of his seniority. Further, he belongs to Sitapur and, therefore, he will be very nearer his house.

The applicant has, however, claimed that his wife is suffering from a disease and is under treatment in Allahabad. I am afraid that the treatment facilities are better in Lucknow and no such disease has been shown which cannot be treated at Lucknow.

The applicant has relied-upon the decision of this Bench passed in O.A. no. 825/2002 on 19.7.2002 in which it has been held by the Tribunal that such a transfer within a short period is prima-facie malafide because it had been done under the pressure of the higher authorities. I am afraid, this ruling does not apply in the present case because there is no pressure to accommodate some other departmental candidate in place of the applicant. The transfer has been done in accordance with the policy to accommodate a probationer who has just completed his training. The policy of four years tenure is not necessary to be obeyed if there are strong administrative grounds, which seems to be in the present case.

In the cases of transfer, this Tribunal should not ordinarily interfere unless there are malafides apparent on the face of the order. If there

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are no malafides interference with the transfer orders will amount to interfering in day-to-day administration, which is not the purpose of the Tribunal.

In view of the above, I find no merits in the O.A. and the same is rejected. No costs.



MEMBER (A)

GIRISH/-