

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 28th day of November. 2003.

Original Application No. 1434 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member- A.

Raj Kumar Tiwari S/o Sri Paramhans Tiwari
R/o Ram Nath Deoria. Presently working as
Postal Assistant, Head Post Office, Deoria,
Distt. Deoria.

.....Applicant

Counsel for the applicant :- Sri V.P. Shukla

V E R S U S

1. Union of India through the Secretary,
M/o Communication, D/o Post, New Delhi.
2. Post Master General, Gorakhpur Division, Gorakhpur.
3. Director, Postal Services, Gorakhpur Division, Gorakhpur.
4. V.K. Lal, Senior Superintendent of Posts, Deoria.

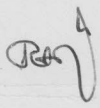
.....Respondents

Counsel for the respondents :- Sri P.D. Tripathi

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C.

This O.A has been instituted for quashing the order dated 07.11.2003 whereby the representation filed by the applicant against his transfer order dated 29/30.09.2003 has been rejected. Earlier also the applicant has instituted Original application No. 1203/2003 challenging the transfer order dated 29/30.09.2003. The said O.A came to be disposed of on 10.10.2003 vide annexure- 8 giving direction to the applicant to file a fresh representation which the competent authority was directed to decide with a reasoned and speaking order.



2. The submission made by the learned counsel for the applicant is that since the allegations were malafide made against the Senior Superintendent Of Post Offices, the applicant preferred representation to the Post Master General pursuant to the direction given by the Tribunal vide judgment dated 10.10.2003 but the Post Master General has not considered and decide the representation. It is submitted that the order passed by the Senior Superintendent of Post Offices II is not the reasoned and speaking order.

3. Sri P.D. Tripathi, learned Standing Counsel representing the respondents on the other hand submitted that there is nothing to show that the representation was filed to the Post Master General, Gorakhpur Region, Gorakhpur. However, copy of the representation addressed to the Post Master General, Gorakhpur Region, Gorakhpur has been annexed as annexure- 9 to the O.A.

4. Keeping in view that the representation of the applicant is pending, we disposed of this original application at the admission stage itself with the consent of counsel for parties with direction to the Post Master General, Gorakhpur Region, Gorakhpur to consider and decide the said representation by a reasoned and speaking order as early as possible. At this stage it has been submitted by the learned counsel for the applicant that the post of Post Master General, Gorakhpur Region, Gorakhpur is vacant and the charge is with the Post Master General, Allahabad Region, Allahabad. Accordingly, Post Master General, Allahabad Region, Allahabad is directed to consider and decide the representation of the applicant as ordered above. Having regard to the order passed by the Tribunal earlier, we direct that pending decision on the representation by the Post Master General, Allahabad Region, Allahabad the status quo in respect of the applicant as on today shall be maintained. The O.A stand disposed of

/Anand/

[Signature]
Member- A.

[Signature]
Vice-Chairman.