

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 20 of 2003

Allahabad this the 24th day of January, 2003

Hon'ble Mrs. Meera Chhibber, Member (J)

A.N. Dwivedi Sub Post Master (SPM) Karwy District
Chitrakoot, Resident of Karwy, District Chitrakoot.
Applicant

By Advocate Shri R.P. Tiwari

Versus

1. V.S. Giri, Post Master General, Kanpur Region, Kanpur.
2. The Superintendent of Post Offices, Banda Division, Banda.
3. Shri Ram Chandra Vishnoi, Superintendent of Post Offices, Banda Division, Banda.
4. Shri Tirath Prasad Srivastava, Presently posted as SPM Karwy, District Chitrakoot.
5. Union of India through Secretary, Ministry of Communication of Department of Post, New Delhi.

Respondents

By Advocate Shri R.C. Joshi

ORDER (Oral)

By Hon'ble Mrs. Meera Chhibber, Jud. Member

The applicant has challenged his transfer order dated 20.12.02 by which he has been transferred from Karwy to Jaria Post Office. The main contention of the applicant is that he has been transferred out due to malafides on the part of respondent no.2. It is stated by the applicant that respondent no.2 became annoyed to him as he informed the public that the timings of the Post Office have been changed by the respondent no.2. It is also submitted that the applicant has been transferred during the mid academic

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session as his daughter is studying in B.A.Ist year.

2. I have heard the counsel and perused the pleadings as well. Scope of interference by the Tribunal in the case of transfer is very limited as Hon'ble Supreme Court has repeatedly held that the Court should not interfere in transfer matters as a routine. I asked specifically to the counsel for the applicant whether the applicant had moved any representation to the higher authorities against his transfer, which is said to be passed on malafide grounds and was done in the midst of the academic session. The applicant's counsel submitted that no such representation has been made, but he may be given the liberty to file representation to the higher authorities, who may be directed to look into the matter. The Hon'ble Supreme Court has also emphasised from time to time that if any employee is aggrieved, he or she must make a representation to the authorities concerned. Learned counsel for the applicant stated that O.A. itself may be treated as a representation to the respondent no.1 and a direction may be issued to the respondent no.1 to consider the same and pass appropriate orders thereon within stipulated period. Since the applicant's counsel has fairly stated that the applicant had not moved any representation, I agree with the applicant's counsel that let this O.A. itself be treated as a representation to the respondent no.1, who is directed to apply his mind to the facts as narrated by the applicant and pass appropriate orders thereon within a period of 4 weeks from the date of receipt of a copy of this order. With the above directions, the O.A. stands disposed off at the admission stage itself with no order as to costs.