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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 477 OF 1993

Date of decision: 3rd February, 1994

Jayakrishna Mishra

...

Applicant

Versus

Union of India & Others

...

Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? No
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not?


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

03 FEB 94


(K.P. ACHARYA)
VICE-CHAIRMAN



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For the Applicant : Mr. Satrughna Das, Advocate
For the Respondents : Mr. Ashok Misra, Senior Standing Counsel (Central).

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K. P. ACHARYA, V. C.

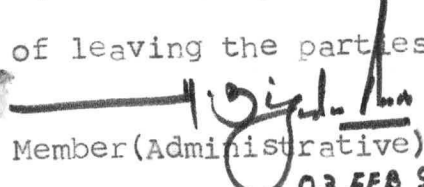
2. In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays that this Bench may cancel the order passed by the competent authority allowing mutual transfer between Opp. Party Nos. 4 and 5 and further more orders be passed transferring the petitioner to Nimapara Sub Division.

No.4 who was working as a Postman in B.J.B.Nagar

Post Office has been transferred to Kakatpur and in his place, Opposite Party No.5 has been transferred from Kakatpur to B.J.B.Nagar Post Office. Prayer of the petitioner is to order cancellation of the transfer between Opposite Party Nos.4 and 5 and also give a posting to the Petitioner by transferring him to Nimapara Sub Division.

4. We have heard Mr. Satrugna Das learned counsel appearing for the petitioner and Mr. Ashok Misra learned Senior Standing Counsel (Central). In our considered view, we have no power to give a posting ^{or} to any employee under the Government. It is for the competent authority who has to give a posting order. But admittedly, the petitioner is an orthopaedically handicapped person. Therefore, we feel that the concerned authority should take a sympathetic view over the petitioner who would file a representation before the competent authority who may consider the same with utmost sympathy and dispose it of according to law.

5. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.


Member (Administrative)

03 FEB 94


Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench/K. Mohanty/3.2.94.

