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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO: 162 OF 1994

Date of decision: JULY, 15, 1994

Smt. Narmada Padhy ... 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 No.
the Central Administrative Tribunal or not?

15 JUL 94
(H. RAJENDRA PRASAD)
Member(Administrative)

15 JUL 94

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Versus
Union of India & Others ... Respondents
For the Applicant : M/s Deepak Misra, A.Deo,
B.S.Tripathy, P.Panda,
D.K.Sahu, P.K.Mishra,
Advocates.
For the Respondents : Mr. Ashok Mishra, Senior Standing
Counsel (Central).

CORAM:

THE HONOURABLE MR. H.RAJENDRA PRASAD, MEMBER (ADMN.)

....

JUDGMENT

H.RAJENDRA PRASAD, MEMBER (ADMN.) : Smt. Narmada Padhy had been working as a Group 'D' official in the office of the Postmaster General, Ganjam Region, from 3.10.1991. On 17.3.1994 an order was issued transferring her to Berhampur Head Post Office. Aggrieved by it Smt. Padhi has filed this application praying for the quashing of the said order of transfer. Reason: in the Office of the Post-master General she was required to work for only five days in a week, whereas in the Head Post Office, to which she has been transferred, she will have to work for six days; and because the work in the Head Post Office, according to her, involves hard manual labour in contrast to the Post-master General's Office where

T.G.J.

her duties were 'light'.

2. The Respondents clarify that the applicant, who was appointed on compassionate grounds, was originally allotted ^{to} Berhampur Postal Division. But as there were no vacancies in the said Division at the time, she was appointed temporarily in the Regional Office until such time that she could be accommodated in the Division. [Some vacancies have apparently arisen now and she has been posted to the Head Post Office] They state that, as against the Regional Office which had no other lady official, there are as many as ten lady officials in the Head Post Office and she would, therefore, find it more congenial to work in their company in the Head Post Office. They add that she would also have better promotional avenues in the latter office and, normally, would also not be liable to be posted out of the said office.

3. The applicant in course of her pleadings terms the order of transfer illegal, arbitrary, motivated, contrary to rules, and lacking jurisdiction; accuses the Post-master General of harbouring ulterior motives with a view to harassing her; adds for good measure that the principles of natural justice have been violated in transferring her from one office to the other; asserts that the order is punitive in nature and, ipso facto, unsustainable and grossly violative of the settled principles of law; and alleges finally that the order was issued without adequate application of mind.

4. All this is gross overstatement, ~~in~~commensurate with the facts of the case. Quite simply, she has been

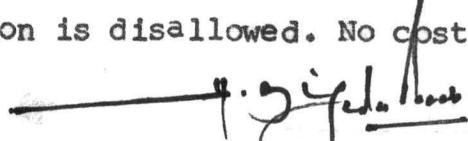
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transferred, not out of one division to another, nor even from one station to another but shifted merely from the 2nd floor to the ground floor in the same building. Under the circumstances, the wide-ranging charges and accusation made by her in this application are startlingly too numerous and betray a singular lack of taste and sober judgment.

None of this is acceptable. I am not persuaded that she has been subjected to any harassment or harshness. Also, it is learnt from the counter-affidavit that the Post-master General has himself instructed the Senior Postmaster to give her light duties as much as possible.

5. Under the circumstances, the application is entirely misadvised and misconceived, and totally devoid of merit. There is no point or issue which would call forth or merit any intervention of this Bench.

The application is disallowed. No costs.


MEMBER (ADMINISTRATIVE)

15 JUL 94

Central Administrative Tribunal
Cuttack Bench Cuttack
dated the 19.7 1994/B.K.Sahoo