

ORDER DATED 17-7-2002.

Heard Mr. G.S. Satpathy, Learned Counsel for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel (on whom a copy of this petition has been served) for the Respondents.

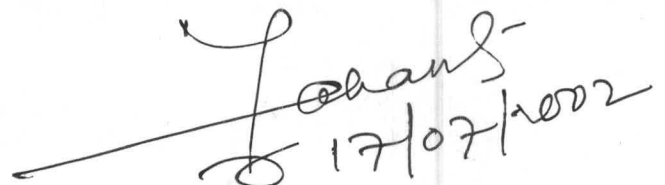
2. Applicant a postal Assistant in the rank of HSG II being sick represented on 27.6.2001 to take voluntary retirement but the same has not been entertained and returned to the Applicant. It appears that the Applicant had taken no further action in that regard. He received promotion in the rank of HSG -I on 26.3.2002 and, on promotion, he was transferred to Jajpur Road to act as Sub Postmaster, vide order dated 27.3.2002. On 5.4.2002, the Supdt. of Post Offices, Balasore division, Balasore invited options (place of transfer) to be given by the Applicant; because he was due to face transfer by 30.9.2002. On 11-4-2002, the Applicant made a representation to the Director in the O/O the Chief Postmaster General, Orissa Circle, Bhubaneswar intimating him to forego his promotion (to the rank of HSG-I) on health ground; which was accepted by the Department on 3-5-2002. Despite that on 13-5-2002, the Applicant has been asked to go on transfer to Basta even in the nonpromotional cadre of HSG -II. On 18.5.2002, the applicant made a representation to the authorities to allow him to continue in Sajanagarh sub post office (instead of transferring him to Basta) as he is due to be superannuated from services during October, 2003. The said prayer of the Applicant having been turned down on 4.6.2002, he has filed

the present Original Application for redressal of his grievances. By the time of filing the present case, the Applicant is continuing to remain on leave since 19.06.2002.

3. Applicant is a sickman. He is going to retire in October, 2003 and, in the said premises, he has forgone his promotion and sought to continue at Sajanagarh Sub Post Office till his superannuation in October, 2003; which appears to be a genuine prayer of the Applicant and, therefore, the Respondents are hereby directed to give a sympathetic consideration to his case and allow him to continue at a nearby place/at Sajanagarh Sub Post Office till his retirement within next two years/by the end of October, 2003.

4. With the above observations and directions, this Original Application is disposed of at the admission stage. No costs.

5. Send copies of this Order (and of the paper books of the Present Original Application) to the Respondents, at the cost of the Applicant, to treat the same to be a representation/memorial to the Respondents and to grant necessary relief to the applicant by allowing him to continue at nearby place/ Sajanagarh Sub Post Office for the present/till his superannuation in October, 2003. On furnishing the required postages by the counsel for the applicant, as undertaken by him, free copies of this order be given to learned counsel for both sides.


17/07/2002

(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)