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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00360 of 2015
Cuttack, this the 29th day of June, 2015

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

Md. Ahmed Baig, aged about 58 years, S/o, Late Mahaboob Baig, At/PO/Dist- Berhampur, at present working as OA (Office Assistant) staff O/o SRM BG Division, Berhampur, on transfer.

...Applicant

(Advocates: Mr. D.K.Mohanty)

VERSUS

Union of India Represented through its

1. Union of India represented through its Secretary-cum-Director General of Posts, Ministry of Communications, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. The Chief Postmaster General, Odisha Circle, Bhubaneswar, Dist.-Khurda.
3. Post Master General, Berhampur Region, Berhampur, Ganjam-760001.
4. The Superintendent, RMS BG Division, Berhampur, Ganjam.
5. Nihar Ranjan Sahoo, SA, O/o RMS Division, Berhampur, on Transfer to applicant's place.

... Respondents

(Advocate: Mr. A.Pradhan)

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ORDER (ORAL)

R.C.MISRA, MEMBER (ADMN.):

Heard Mr.D.K.Mohanty, learned counsel for the applicant, and Mr.A.Pradhan, learned ACGSC for the Respondents.

2. Applicant has approached this Tribunal under Section 19 of the A.T.Act, 1985, alleging that he has been transferred by an order dated 19.6.2015 of the Superintendent of Post Offices, RMS(BG) Division (Res.No.4). According to him, earlier he was working as Office Assistant in the Divisional Office and now he has been posted as S.A., HRO, Berhampur (BG) Division in the same station. Applicant has made a representation to the Post Master General, Berhampur Region (Res.No.3) on 22.6.2015 in which he has alleged that in spite of the fact that there are many allegations pending against one Nihar Ranjan Sahoo, he has been posted to work as O.A. in the Divisional Office by the order of the present SRM, Shri Ajit Kumar Das, who is a local man.

3. The other grievance of the applicant is that the Placement Committee which recommended applicant's transfer was not complete since one of the Members of the said Committee was on leave.



Therefore, he has alleged that the departmental guidelines have been violated by the concerned authorities.

4. The main thrust of the representation is that Shri Nihar Ranjan Sahoo is a defamed and unwarranted official who has been earlier reverted by the order of the PMG, Berhampur Region and now is being brought back which is wrong and unjustified.

5. Prima facie it appears that the applicant has devoted most part of his representation to his impression on Shri Nihar Ranjan Sahoo, his successor. However, since the applicant has alleged that the Placement Committee was not complete when they recommended transfer of the applicant and there is mala fide involved in making his transfer in an untimely manner, without going into the merits of the matter, I direct Respondent No.3, i.e., PMG, Berhampur Region to consider and dispose of the representation of the applicant and communicate the decision thereon to the applicant in a well-reasoned order. As an interim measure, it is directed that status quo in respect of the applicant shall be maintained till the representation is disposed of and decision thereon communicated.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.



7. On the prayer made by learned counsel for the applicant, send copy of this order along with copy of paper book to Respondent No.3 at the cost of the applicant, for which Mr. Mohanty undertakes to file postal requisites by 30.6.2015.

8. Free copy of this order be made over to learned counsel for both the sides.



(R.C.MISRA)
MEMBER(Admn.)