

Suresh Kumar Mishra

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL;
CUTTACK BENCH, CUTTACK**
OA No.260/00 398 of 2016

In the matter of:

An application under Section-19 of the
Administrative Tribunals' Act, 1985;

And

In the matter of:

Sri Suresh Kumar Mishra, aged about 58 years,
son of late Pathani Mishra, permanent resident of
Vill./P.O. Jadunathpur, P.S.Fategarh, Dist.
Nayagarh and presently working as Asst. Supt. of
Posts (OD), RMS 'N' Division, Cuttack-753001.

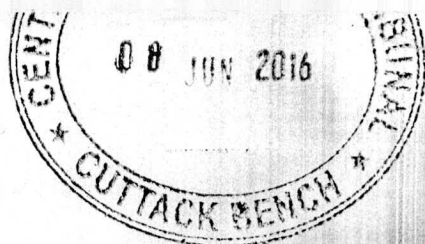
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Applicant

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1. Union of India represented through its Director
General, Department of Posts, Government of
India, Dak Bhawan, New Delhi.
2. Chief Postmaster General, Odisha Circle,
Bhubaneswar - 751001.
3. Senior Supt. of Railway Mail, Railway Mail
Service 'N' Division, Cuttack.

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4. Sri Bijoy Kumar Mishra, Asst. Supt. of Post
Offices, Cuttack North Division, Cuttack.

... Respondents

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ORDER (ORAL)

Dated: 14.06.2016

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

Heard Mr. S.K.Ojha, Ld. Counsel for the Applicant, and Mr. M.R.Mohanty, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Ld. Counsel for the applicant has submitted that the applicant is at present working as Assistant Superintendent of Post Offices, RMS 'N' Division at Cuttack and by an order dated 07.06.2016 filed at Annexure-A/3, he has been transferred to Sambalpur. Ld. Counsel further states that earlier the applicant was promoted as Superintendent of Post Offices and was posted to the State of Assam, however, for personal reasons he has foregone that promotion and continued at the earlier grade of Assistant Superintendent of Post Offices. Therefore, his contention is that he should not be disturbed from the present place of posting, i.e. from Cuttack. Other point he has submitted^{is} that the applicant is due to retire in the year 2018 and, therefore, he should not be disturbed at the fag end of his career.


3. On the other hand, Mr. Mohanty, Ld. ACGSC, has submitted that after the issue of the transfer order, the applicant has not made any representation to the concerned authorities and, therefore, departmental remedy in this matter has not been exhausted.

4. Considering the submissions of Ld. Counsels for both the sides, I dispose of this O.A. at the stage of admission by giving direction to the applicant to make a detailed representation submitting all the points before Respondent No.2, i.e. Chief Post Master General, Odisha Circle, within a

period of one week from today and if such a representation is received by Respondent No.2 then he is directed to dispose of the said representation with a reasoned and speaking order within a period of two weeks from the date of receipt of the representation. As an interim measure, it is directed that the status quo in respect of the continuance of the applicant shall be maintained till the representation is disposed of and order communicated to the applicant.

5. With the aforesaid observation and direction, this O.A. stands disposed of.

6. As prayed, copy of this order along with paper book be sent to Resp. No. 2 by Speed Post at the cost of the applicant for which Mr. Ojha undertakes to file the postal requisites by 16.06.2016.


(R.C.MISRA)
MEMBER (A)

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