

3
CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00420 of 2016
Cuttack, this the 24th day of June, 2016

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)

.....

Kunjan Kumar Singh, aged about 38 years, S/o. Sri Raghunath Singh of Vill-Potal, Po/PS/Dist-Jagatsinghpur, now residing At/PO/PS-Chowdwar, Dist-Cuttack, at present working as GDSMD/MC, Dedhasurdeuli BO.

...Applicant

(Advocates: M/s. T.Rath, A.K. Rout)

VERSUS

Union of India Represented through its

1. Secretary-cum-Director General (Posts), Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Chief Postmaster General, Odisha Circle, At/Po.-Bhubaneswar, Dist.-Khurda-751001.
3. Superintendent of Post Offices, Cuttack South Division, At-Cantonment Road, Po/PS/Dist-Cuttack-753001.
4. Inspector of Posts, Kujang Sub Division, At/PO/PS-Kujang, Dist-Jagatsinghpur, Pin-754103.
5. Dibyasingh Tripathy, Inspector of Posts, Kujang Sub Division, At/PO/PS-Kujang, Dist-Jagatsinghpur, Pin-754103.
6. GDSBPM, Dedhasurdeuli BO, Via-Nalibara, Dist-Jagatsinghpur, Pin-754104.

... Respondents

(Advocate: Mr. A.C.Deo)

ORDER (ORAL)

R.C. MISRA, MEMBER (A)

Heard Mr.T.Rath, learned counsel for the applicant and Mr.A.C.Deo, learned ACGSC for the respondents on the question of admission and perused the records.



- 2 -

2. It is the case of the applicant that he was appointed as GDSMD/MC, Dedhasurdeuli BO on compassionate ground due to invalidation of his father. Applicant submitted an application dated 7.11.2014 for his transfer to the post of GDSBPM, Bhairpur BO. Thereafter, there were certain developments, i.e., the Inspector of Post Offices, (res.no.4) called for explanation of the applicant on the alleged unauthorized absent from duty to which applicant also submitted his explanation. However, TRCA of the applicant which had been withheld was released later on. It has been submitted that the CPMG, Orissa Circle vide order dated 19.02.2016 approved transfer of the applicant from the post of GDSMD/MC Dedhasurdeuli BO to the post of GDSBPM, Bhairpur BO in consequence of which res.no.3 vide his memo dated 9.3.2016 has issued order to relieve the applicant. Grievance of the applicant is that instead of carrying out these orders, res.no.4 is creating a road block. Applicant has also served a pleader's notice on the Department of Posts, Cuttack. Reply in response to this given by the respondents vide A/10 reveals that TRCA of the applicant had been withheld due to certain alleged irregular activities and the same has already been released. Transfer of the applicant has been approved by the competent authority and the Inspector of Posts has been asked to relieve him. However, relief of the applicant will depend upon other factors such as feasibility of the suitable alternate arrangement in his place, which may take some time. This communication is dated 4.4.2016.

3. However, during the course of hearing on admission, Mr.Rath submitted that applicant has submitted a representation dated 5.4.2016 to res.no. ^{4.2} in which

Rath


5
3-
he has alleged bias and malice on his part. It has been submitted that from 5.4.2016 onwards another person has been allowed to work in place of the applicant and therefore, the alternative arrangement which has been stated in the communication dated 4.4.2016 having been made, nothing stands in the way to relieve the applicant in order to join as GDSBPM, Bhairpur BO.

4. I have considered the rival submissions. I do not understand why after the transfer order had been passed by the competent authority, the concerned Inspector of Posts is creating a bottleneck in the matter of relief of the applicant, particularly when, some alternative arrangement is stated to have been made in order to relieve the applicant. Be that as it may, without expressing any opinion on the merit of the matter, I would direct res.no.4 to consider the representation dated 5.4.2016 submitted by the applicant and dispose of the same through a reasoned and speaking order as early as possible, at any rate, within a period of fort-night from the date of receipt of this order.

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

6. On the prayer made by the learned counsel, copy of this order along with paper book be sent to res.no.4 by Speed Post at the cost of the applicant for which Mr.T.Rath undertakes to file the postal requisites by 27.6.2016.

7. Free copy of the order be made over to both the sides.


(R.C.MISRA)
MEMBER(A)

BKS