

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00648 of 2016
Cuttack, this the 19th day of September, 2016

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

....

Pravas Ranjan Sahoo,
aged about 33 years,
S/o Prafulla Kumar Sahoo,
At/PO Pubusahi, Dist- Khurda,
Presently working as Postal Assistant,
Jeopure HO, Dist- Koraput.

...Applicant

(Advocates: M/s. D.P.Dahlsamant, N.M.Rout)

VERSUS

Union of India represented through its

1. Director General of Posts,
Govt. of India, Ministry of Communication,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi-110001.
2. Chief Post Master General,
Odisha Circle, Bhubaneswar,
Dist- Khurda, 751001.
3. Postmaster General,
Berhampur Region,
At/Po- Berhampur, Dist- Ganjam.
4. Assistant Director(Staff),
O/o C.P.M.G., Bhubaneswar Circle,
At/PO- Bhubaneswar, Dist- Khurda.
5. Sr. Superintendent of Post Offices,
Koraput Division, At/PO/Dist- Koraput.

... Respondents

(Advocate: Mr. A.C.Deo)

.....



ORDER (ORAL)

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

Heard Mr. D.P.Dhalsamant, Ld. Counsel for the Applicant, and Mr. A.C.Deo, Ld. Addl. Central Govt. Standing Counsel appearing for the Department of Posts-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 submitted that the applicant joined as Postal Assistant under Respondent No.5, i.e. Sr. Superintendent of Post Offices, Koraput Division, on 10.09.2008. Since the date of his joining, he is working in Koraput Division and in spite of his representations for transfer under Rule 38 of the Postal Manual Vol. IV to Bhubaneswar Division or Puri Division his case has not been considered whereas employees, who have spent less years in Koraput Division has, in the meantime, been transferred to Puri Division. His further submission is that persons, who submitted representation on later dates were also transferred to Puri Division and, therefore, there has been a case of discrimination in consideration of the matter against the applicant for which he is aggrieved. He has also made a representation dated 18.07.2016 to the Chief Post Master General, i.e. Respondent No.2.

3. Heard Ld. Counsels for both the sides and perused the copy of the representation submitted by the applicant to Respondent No.2 at Annexure-A/4 of this O.A.

4. Transfer is definitely a matter which has to be done by the Respondent-authorities on administrative consideration. However, while making transfers, the guidelines for transfer also have to be properly observed to ensure that there is no case of any discrimination among the employees. But, I do not

like to give any observation about the matter of this particular case and, at the stage of admission, I would direct Respondent No.2 to consider and dispose of the representation dated 18.07.2016 in accordance with Rule 38 of the Postal Manual, as quoted by the applicant in the representation, and other relevant instructions in the matter by communicating the ^{decision} ~~same~~ in a reasoned and speaking order to the applicant within a period of 60 days from the date of receipt of this order. e

5. With the aforesaid observation and direction, this O.A. stands disposed of at the stage of admission itself.

6. As prayed by Mr. Dhalsamant, Ld. Counsel for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 as well as 5 by Speed Post, for which he will submit postal requisites by 21.09.2016.

7. Free copies of this order be made over to the Ld. Counsels for both the sides.



(R.C.MISRA)
MEMBER (A)

RK