

3

CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK

O.A. No.431 of 2013
Cuttack, this the 12th day of July, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE MR. R. C. MISRA, MEMBER (ADMN.)

Rabinchandra Behera, aged about 53 years, son of Laxmidhar Behera working as Postal Assistant Dhenkanal Head Post Office, At/Po/Dist. Dhenkanal.

.....Applicant

(Advocate(s) –M/s.S.Pattnaik,B.K.Kar)

-VERSUS-

Union of India represented through –

1. Secretary-Cum-Director General of Posts, At-Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. Postmaster General, Sambalpur Region, At/Po/Dist. Sambalpur 768 001.
3. Superintendent of Post Offices, Dhenkanal Division, At/Po/Dist. Dhenkanal.
4. Laxman Behera, Postal Assistant, At/Po.Deepakha, Dist. Angul.

.....Respondents

(Advocate(s)-Mr.S.Barik)

ORDER

(Oral)

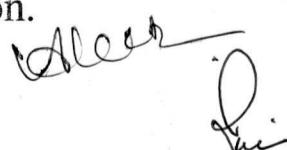
A.K. PATNAIK, MEMBER (}):

The Applicant who is working as Postal Assistant in the Dhenkanal Head Post Office has filed this Original Application

Allee
Q. m.

virtually seeking direction to the Respondents to post him in his present capacity at Deepasikha SO. Copy of this Original Application has been served on Mr.S.Barik, Learned Additional CGSC to appear for and on behalf of the Respondents. Accordingly, we have heard Mr.S.Pattnaik, Learned Counsel for the Applicant and Mr.S.Barik, Learned Additional CGSC appearing for the Respondent-Department and perused the records.

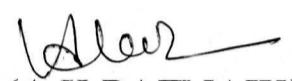
2. It is needless to state that it is well settled law that the courts or tribunal being not the appellate authority cannot decide who should be transferred where nor can they direct to post an individual to a particular place or position. The only realistic approach is to leave it to the wisdom of the hierarchical superiors to make the decision. No Government servant or employee of a public undertaking has any legal right to be posted for ever at any one particular place or place of his choice since transfer of a particular employee appointed to the class or category of transferable posts from one place to another is not only an incident, but a condition of service necessary too in public interest and efficiency in the public administration.



OA No.431/2013
R.Behera-vrs-UOI&Ors

3. Since in the present case the applicant prays for direction to post the applicant in a particular place which the applicant is not competent to direct, we find no merit in this OA and accordingly this OA stands dismissed by leaving the parties to bear their own costs.


(R.C.MISRA)
Member (Admn.)


(A.K.PATNAIK)
Member (Judl.)