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OA No.511/13  
KCShaw-Vrs-UOI&Ors

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

**O. A. No.511 OF 2013**  
Cuttack the 30<sup>th</sup> day of July, 2013

**CORAM**

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

.....  
Sri Keshab Chandra Shaw, aged about 26 years, Son of Late Jayant Kumar Shaw, At/Po.Kuruda, PS-Balasore Sadar, Dist. Balasore at present working as GDSBPM I/c Januganj BO in account with Remuna SO under Balasore HO.

.....Applicant

(Advocates: Mr.D.K.Mohanty )

**VERSUS**

**Union of India represented through -**

1. The Secretary Cum Director General of Posts, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. The Chief Postmaster General, Orissa Circle, Bhubaneswar, Dist. Khurda-751 001.
3. The Superintendent of Post Office, Balasore Division, Balasore-756 001.
4. Asst. Superintendent of Post Offices, Balasore Division, Balasore.

.....Respondent

(Advocate: Mr.U.B.Mohapatra)

**ORDER**

**A.K. PATNAIK, MEMBER (J):**

It is the case of the Applicant that his father was working as GDSMC, Kuruda SO and while working as such he died prematurely on 28.12.2006. On the recommendation of the CRC, the

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applicant was appointed as GDSBPM of Nuapadhi Branch Post Office in account with Mitrapur Sub Post Office on 4.4.2008. By the order of the Respondent No.4 dated 13.7.2009 he was allowed to discharge the duty of GDSBPM of Chhanpur Branch Post Office under Kuruda SO. Kuruda to Nuapadhi Branch Post Office is 25 KMs. A GDS employee appointed on compassionate ground can be transferred from one post/unit to another as per the DGP guidelines dated 17.7.2006 (Annexure-A/3). It is the case of the applicant that he has submitted representation to the Respondent No.2 on 24.9.2012 and 5.12.2012 praying for his transfer/posting as GDSBPM to Januganj BO in account with Remuna SO which is lying vacant since October, 2012. In order dated 18.12.2012 Respondent No.4 directed the applicant to work as GDSBPM, I/c Januganj BO. But no decision has been communicated on the said representation of the applicant. Hence by filing the instant OA the applicant seeks direction to the Respondents to permanently absorb/allow him to continue as GDSBPM, Januganj BO in account with Remuna SO under Balasore HO as per DGP guidelines dated 17.7.2006 (Annexure-A/3).


2. Copy of this OA has been served on Mr.U.B.Mohapatra, Learned Senior CGSC for the Union of India who appears for the Respondent-Department in this OA. We have heard Mr.D.K.Mohanty, learned Counsel for the Applicant and Mr.U.B.Mohapatra, Learned Senior CGSC appearing for the Respondents and perused the


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records. Mr.Mohapatra does not have immediate instruction about the status of the representation dated 24.9.2012 and 5.12.2012 and prays that in case time is allowed he can obtain instruction and apprise this Tribunal.

3. Since representations of the applicant <sup>stated to be</sup> are still pending we do not see any justification to keep this matter pending awaiting the instruction through Mr.U.B.Mohapatra, Learned CGSC appearing for the Respondents. In view of the above, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to the Respondent No.2 to consider and dispose of the representation placed at Annexure-A/4 & A/5 (series) (if it is still pending) and communicate the decision to the Applicant in a well-reasoned order within a period of sixty days from the date of receipt of copy of this order. If in the meanwhile representations as at Annexure-A/4 & A/5 (series) have already been disposed of but result thereof has not been communicated the same may be communicated to the applicant within a period of fifteen days from the date of receipt of copy of this order. There shall be no order as to costs.

  
(R.C.Misra)  
Member(Admn.)

  
(A.K.Patnaik)  
Member(Judl.)