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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00948 of 2014
Cuttack, this the 22nd day of December, 2014

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

S. Deenabandhu Patra,
aged about 55 years,
S/o: Late Anand Patra,
Vill/Po Bellaguntha,
P.S: Bhanjanagar, Dist-Ganjam
working as Officiating Postmaster,
Jeypore (K) H.O. Koraput (on leave)
Directed to work as officiating Deputy Postmaster
Jeypore(K) H.O. Koraput.

...Applicant

(Advocates: Mr. D.K. Mohanty)

VERSUS

Union of India Represented through

1. Director General of Posts,
Ministry of Telecommunication,
Dept. of Post,
Dak Bhawan, Sansad Marg,
New Delhi-1
2. Chief Postmaster General,
Odisha Circle, Bhubaneswar,
Dist-Khurda-751001.
3. Postmaster General,
Berhampur Region,
Berhampur, Ganjam-760001.
4. Sr. Superintendent of Post Offices,
Koraput Division,
Koraput.
5. Sr. S.K. Swain,
Asst. Postmaster (A/C) Jeypore (K) HO
Now officiating Postmaster,
Jeypore (K) HO Koraput

... Respondents

(Advocate: Mr. S. Barik)



ORDER (Oral)

R.C. MISRA, MEMBER (ADMN.)

Heard Shri D.K. Mohanty, learned counsel appearing for the applicant and Shri S. Barik, learned ACGSC appearing for the Respondents.

2. The applicant was working as officiating Postmaster, Jeypore(K) H.O. Koraput and he is at present on leave. He has approached this Tribunal challenging the order dated 11.10.2014 of the Sr. Supdt. of Post Offices Koraput Division, i.e., Respondent No.4. In this order Respondent No.4 has directed that in the interest of service the applicant now officiating as Postmaster, Jeypore(K) shall officiate in the vacant post of Dy. Postmaster, Jeypore(K) until further orders. It is further directed that the applicant will hand over the charge of the Postmaster, Jeypore(K) to the next senior most LSG Official of Jeypore(K) HO. The case of the applicant is that next LSG Official of Jeypore (K) is one Shri S.K. Swain who has been arrayed as Respondent No.5 in this O.A. The grievance of the applicant is that the Respondent No.5 is Junior to him and therefore the authorities have done ^{be ed} ~~on~~ him great injustice by directing him to post under his junior in the same Post Office. When asked whether the applicant has brought his grievance to the notice of the higher authorities the applicant's Counsel submitted that the applicant made a representation to the Postmaster General, Berhampur Region i.e., Respondent No.3 on 05.11.2014 a copy of which he has annexed as Annexure-A/5 to this O.A. The contention that he has made in his representation is that he is at Sl. No.13 of the seniority list of Postal Assistant of Koraput Division whereas Respondent No.5 is at Sl. No. 43. He has submitted in his representation that the Sr. Supdt. of Post Offices, Koraput Division vide order dated

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11.10.2014 directed him to hand over the charge of the Postmaster, Jeypore(K) HO to Shri S.K. Swain (Respondent No.5) when there was no disciplinary or vigilance proceedings initiated against him. He has therefore protested that he can not be directed to work under his junior and that this is a clear violation of principles of natural justice, and accordingly made a prayer to Respondent No.3 i.e., the Postmaster General, Berhampur Region to modify the order dated 11.10.2014 and restore his position as per his seniority.

3. Shri S. Barik, learned ACGSC appearing for the Respondents could not immediately throw any light on the subject and particularly on the pending representation.

4. After hearing the learned counsels for both the sides and without going into the merit of the case, I therefore, direct the Respondent No.3 to look into the representation of the applicant dated 05.11.2014 and dispose of the same with a speaking order within a period of 30 days from the date of receipt of this order. With this observation and direction the O.A. stands disposed of at the stage of admission.

5. On the prayer made by Mr. Mohanty, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No. 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 24.12.2014.


(R.C. MISRA)
MEMBER (A)