

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00031/2014

Jodhpur, this the 29th day of September, 2015

CORAM

**Hon'ble Mr. Justice Harun-Ul-Rathid, Judicial Member
Hon'ble Ms. Meenakshi Hooja, Administrative Member**

Net Ram Nehra s/o Shri Shankar Ram, aged about 39 years, R/o -
Vill+ Po-Dobi, Tehsil-Bhadra, District-Hanumangarh (Office
Address:- Working as GDS BPM at Mundaribara (Kalana) Post
Office).

.....Applicant

By Advocate: Mr. S.P.Singh

Versus

1. Union of India through the Secretary, Government of India, Ministry of Communication, Department of Posts, Dak Tar Bhawan, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-302 007.
3. The Post Master General, Western Region, Rajasthan, Jodhpur.
4. Superintendent of Post Offices, Sri Ganganagar Division, Sri Ganganagar.

.....Respondents

By Advocate : Mr. K.S.Yadav

ORDER (ORAL)

Per Ms. Meenakshi Hooja

This Original Application has been filed seeking the

following reliefs:-

(A) That by writ, order or direction the respondent may kindly be directed to transfer the applicant from Mundaria Bara (Kalana) to Utaradabas Post office in consideration with transfer facility for GDS in accordance with GDS Rules.

(B) That by writ, order or direction the respondent may kindly be directed to transfer the applicant from Mundaria Bara (Kalan) to Bhangwa Post office in consideration with transfer policy for GDS in accordance with the GDS Rules.

(C) The respondent may kindly be directed to transfer the applicant near to delivery jurisdiction to his residence where the post of GDSBPM is vacant.

(D) That any other direction or orders may be passed in favour of the applicant, which may be deemed just and proper under the facts and circumstances of this case in the interest of justice.

(E) The cost of this Original Application may be awarded to the applicant.

2. During the course of hearing today, the learned counsel for the applicant submitted that in view of interim order dated 19.08.2015 passed by this Tribunal, he presses for relief at (A) only.

3. Counsel for the applicant further submitted that the post of GDS is vacant at Utaradabas as is clear from Ann.A/1 which is notification dated 27.12.2013 for filling up the post, though the process of recruitment has not been finalised in view of the interim directions dated 20.01.2014 passed by this Tribunal and

(Conduct and Engagement) Rules as at Ann.A/5 which contain Terms and Conditions of Engagement of GDS and submitted that in view of the provisions therein his request for being transferred/ posted at Utaradabad is genuine. Apart from the fact that there is a long distance between the place where he is presently working and his residence, his mother is also suffering from chronic disease. Therefore, he has prayed for directing the respondents to transfer him from Mundaria Bara (Kalana) to Uataradabas Post Office which is vacant and is near his residence and which would be in accordance with GDS rules.

3. Per contra, counsel for the respondents submitted that the case of the applicant has been considered vide memo dated 21.3.2014 (Ann.R/4) and after consideration in accordance with rules, his representation has been rejected. He also submitted that at present the post at Utaradabas is vacant in view of interim relief dated 20.01.2014 and since continued and the applicant should file a fresh representation before the competent authority, if he wants the required relief.

4. In view of above submissions, we deem it appropriate to dispose of this OA with certain directions:-

The applicant is at liberty to file a fresh representation before the competent authority with relevant details within 15 days from receipt of copy of this order and the competent

receipt of the representation. Till then, the interim direction with regard to Ann.A/1 i.e. notification dated 27th December, 2013 shall continue.

It is also made clear that that the Interim Relief with regard to notification dated 27.11.2013 regarding the post at Bhangwa (Ann.A/2) has already been vacated vide order dated 19.08.2015 but the recruitment was made subject to outcome of the OA, and in view of this order that direction is also vacated.

The OA stands disposed in above terms with no order as to costs.


(MEENAKSHI HOOJA)
Administrative Member


(JUSTICE HARUN-UL-RASHID)
Judicial Member

R/