

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00348/2014
With MA No. 290/00014/2015

Jodhpur, this the 12th day of May, 2016

CORAM

Hon'ble Ms. Praveen Mahajan, Administrative Member

U.R.Meena s/o late Chitra Ram, aged about 58 years, resident of c/o Chetan Sankhla, Near Nanad Cinema, Sojatigate, Jodhpur, at present employed on the post of Dy. Post Master in Head Post Office, Jodhpur

.....Applicant

By Advocate: Shri J.K.Mishra

Versus

1. Union of India through Secretary to the Government of India, Ministry of Communication and Info Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur
3. Asstt. Director Postal Services, O/o the Postmaster General, Rajasthan Western Region, Jodhpur.
4. Sr. Superintendent of Post Offices, Jodhpur Division, Jodhpur

.....Respondents

By Advocate : Mr. K.S.Yadav

ORDER

Praveen Mahajan
The present OA has been filed against the order dated 23.05.2014 (Ann.A/1) and order dated 26.05.2014 and 02.06.2014

(Ann.A/2) by which the applicant has been transferred from

these orders may be declared illegal and quashed with all consequential benefits.

2. The applicant in this OA has earlier filed a number of OAs before this Tribunal raising his grievance. It is alleged that this annoyed the respondent authorities and they were bent upon to harass him and, hence, passed the impugned order of transfer. There are vacant posts at Jodhpur and some other persons have been retained, but he has been transferred to Marwar Jn. The applicant has also made several other averments in support of his claim, but I am not detailing the same here and only dealing the issue of transfer of the applicant at the verge of retirement.

3. By way of detailed reply, the respondents have justified their action and also given a list of punishment awarded to the applicant in the reply. The respondents have submitted that the applicant had completed the prescribed post tenure of 4 years and was due to be transferred as per the Transfer Policy of the Department. He has been transferred to a nearest place because no post of HSG-I was available elsewhere. There was no extraneous reason behind the transfer as alleged by the applicant. The transfer has been made strictly in accordance with the Transfer Policy of the Department on completion of the prescribed post tenure.

4. The applicant has filed rejoinder to the reply filed by the respondents reiterating the averments made in the OA.

5. Heard both the counsels.

6. The learned counsel for the applicant submits that the applicant, Shri U.R.Meena, is superannuating on 30th September, 2016, hence in view of various judgments on the subject as well as the transfer policy, it will not be in the interest of justice to transfer him out of Jodhpur. In view of the fact that the applicant has only four months to retire, his transfer from Jodhpur HO to Marwar Jn. HPD does not appear to be justified. I, therefore, quash the order of transfer order Ann.A/1 and A/2 or any consequential order. The respondents are directed to post him anywhere in Jodhpur as per their administrative needs.

7. The OA and MA are accordingly disposed of with no order as to costs.


(PRAVEEN MAHAJAN)
Administrative Member

R/