

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.416/2004.

Tuesday this the 8th th day of June 2004.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

M.A.Appu Nair, S/o Sankaran Nair,
Working as Assistant Postmaster,
Udyogamandal P.O.

Applicant

(By Advocate Shri.P.C.Sebastian)

Vs.

1. The Senior Superintendent of Post
Offices, Ernakulam Division,
Kochi-682 018.
2. The Director of Postal Services,
Central Region, Kochi-682 018.
3. Union of India represented by Secretary,
to Government of India, Ministry of Communications,
Department of Posts,
New Delhi.

Respondents

(By Advocate Shri K.Kesavankutty, ACGSC)

The application having been heard on 8.6.2004,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicant who was posted as Assistant Postmaster, Udyogmandal P.O.vide order dated 21.4.03 is continuing in the same post. While so, by impugned order dated 6.4.2004, he was transferred as Sub Postmaster, Narakkal before completion of his normal tenure. He has got only fifteen months' time more to retire. He submitted a representation on 7.4.04 which was not yet disposed of. Aggrieved by the action on the part of the respondents the applicant has filed this O.A. seeking the following main reliefs:

- i. To call for the files relating to Annexure A-1 order and quash the same to the extent it concerns the applicant only.



- ii. to declare that the action of the 1st respondent in transferring the applicant before completion of his normal tenure at the fag end of his service, without any compelling reason is unjust and unfair.
 - iii. to issue appropriate directions/orders to the 2nd respondent to consider applicant's petition (Exhibit A5) and to take appropriate action for the redressal of applicant's grievance.
2. When the matter came up before the Bench, Shri P.C. Sebastian appeared for the applicant and Shri K. Kesavankutty, ACGSC appeared for the respondents.
3. Learned counsel for the applicant submitted that ⁷if a limited direction ^{is} given to the 2nd respondent to consider and dispose of his representation (A4) dated 7.4.04 and pass appropriate orders within a time frame.
4. Learned counsel for respondents submitted that he has no objection in adopting such a course of action.
5. Accordingly, this Court directs the 2nd respondent to consider and dispose of the representation (A4) and pass appropriate orders as expeditiously as possible. The applicant is directed to send a copy of this O.A. and the representation to the 2nd respondent to avoid any further delay.
6. This Court directs the respondents that the operation of the impugned order as far as the applicant is concerned is stayed till the disposal of the representation. It is made clear that the applicant will be permitted to continue in the same post if he has not already relieved.
7. O.A. is disposed of as above. In the circumstance, no order as to costs.

Dated the 8th June 2004.



K.V. SACHIDANANDAN
JUDICIAL MEMBER