

केन्द्रीय प्रशासनिक अधिकरण न्यायपीठ में
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

आदेश पत्र
ORDER SHEET

आवेदन सं 19 का, 440/2001
 ORIGINAL APPLICATION No. 440/2001

आवेदक
 Applicant (s)

K. Rajan

प्रत्यर्थी 101, Secretary, M/o
 Respondent(s) Commn. New Delhi and
 3/03

आवेदक (आवेदकों)

की ओर से अधिवक्ता

Advocate for
 Applicant(s)

Ms. K. Indu

प्रत्यर्थी (प्रत्यर्थियों)

की ओर से अधिवक्ता

Advocate for
 Respondent(s)

रजिस्ट्री के टिप्पणी
 Notes of the Registry

अधिकरण के आदेश
 Orders of the Tribunal

प्रस्तुतीकरण की तारीख : 24.5.01
 Date of Presentation :

25.5.2001

Ms. K. Indu

Mr. George Joseph

रजीकरण की तारीख : 24.5.01
 Date of Registration :

विषय : Ed. Transfer
 Subject :

Learned counsel for respondents seeks
 two weeks' time to get instructions and to
 make statement. Time granted.

List on 13.6.2001 till which date we
 direct that the post in question shall not
 be filled ^{up} without considering the request
 of the applicant for transfer.

तैनाती की तारीख : 25.5.01
 Date of posting :

24/5/01

TNTN(AM),

AVH(VC)

25.5.2001

rv

13.6.2001

AVH&TNTN

Ms. K. Indu (rep)
 None for respondents

Counsel for applicant is said to
 be laid up. Hence adjourned to 28.6.2001.

By order

Dhr
 CO CI

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 440/2001

Thursday, this the 28th day of June, 2001.

CORAM;

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

K.Rajan,
Extra Departmental Packer,
Kunnukuzhy.P.O.
Trivandrum North,
Pin-695 037.

- Applicant

By Advocate Ms K Indu

vs

1. Union of India represented by
its Secretary,
Ministry of Communications,
New Delhi.
2. The Senior Superintendent of Post Offices,
North Division,
Trivandrum.
3. The Assistant Superintendent of Post Offices,
Trivandrum North Sub Division,
Trivandrum.
4. The Senior Postmaster,
G.P.O. Trivandrum. - Respondents

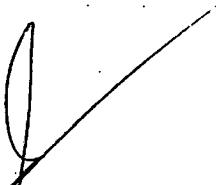
By Advocate Mr George Joseph, ACGSC

The application having been heard on 28.6.2001, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

The applicant seeks to declare that he, as a working
Extra Departmental Agent(ED Agent for short) in the same
recruiting unit, is eligible to be transferred and posted as



ED Packer, Trivandrum G.P.O. and to direct the respondents to consider A-1 in the light of the order of this Bench of the Tribunal in O.A.45/98.

2. Applicant is working as ED Packer at present at Kunnukuzhy Post Office. There is a vacancy of ED Packer at G.P.O., Trivandrum. On coming to know of the same, he submitted a request seeking a transfer to the said post. It was so done on 8.11.2000. When that application was not considered, another request was made as per A-1 dated 15.2.2001. There is no response to A-1.

3. We have heard the counsel on both sides. It is not in dispute that the ruling in O.A.45/98 is applicable in this case. In the light of the ruling in the said O.A., the applicant is entitled to be considered for appointment by transfer within the same recruiting unit. As the request of the applicant as per A-1 is only for appointment by transfer within the same recruiting unit, the second respondent to whom A-1 is addressed, is bound to consider the same and pass appropriate orders.

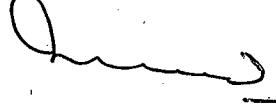
4. Accordingly, it is declared that the applicant, as a working ED Agent, is entitled to be considered for appointment by transfer within the same recruiting unit. The second respondent is directed to consider A-1 representation and pass

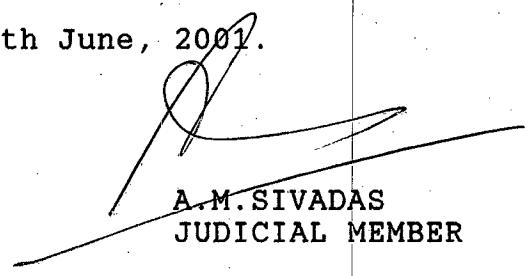


appropriate orders within one month from the date of receipt of a copy of this order.

5. O.A. is disposed of as above. No costs.

Dated, the 28th June, 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

trs

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-1: True copy of the request dated 15.2.2001 submitted by the applicant to the 2nd respondent.