

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 47 of 1997

Thursday, this the 24th day of July, 1997

CORAM

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

1. K.C. Sunny,
Sub Postmaster
Higher Selection Grade-II
(Biennial Cadre Review),
Kallumala Sub Office,
Mavelikkara Head Office. .. Applicant

By Advocate Mr. OV Radhakrishnan

Versus

1. Superintendent of Post Offices,
Mavelikkara Division, Mavelikkara.
2. Director of Postal Services,
Central Region, Kochi.
3. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
4. Professor George M. Cheriyan,
Principal, Bishop Moore Vidyapith,
Kallumala, Mavelikkara-10 .. Respondents

By Advocates Mr. Varghese P Thomas, ACGSC (R1-3) and
Mr. Wilson John (R4)

The application having been heard on 24.7.1997, the
Tribunal on the same day delivered the following:

O R D E R

The applicant, aggrieved by A-1 order dated 16-12-1996
transferring him from Kallumala to Kunnam, seeks to set
aside A-1, to direct the respondents to retain him as
Sub Postmaster, Kallumala till he completes the period of
4 years, and also to direct the 2nd respondent to dispose
of A-5 appeal dated 18-12-1996 expeditiously.

contd....2.



2. The applicant is working as Sub Postmaster at Kallumala Sub Post Office. He was transferred and posted as Sub Postmaster, Kallumala as per order dated 8-4-1994. As per A-1 order he is now transferred from Kallumala to Kunnam.

3. Respondents 1 to 3 say that complaints were received from the 4th respondent against the applicant and on enquiry it was revealed that the applicant was not doing his work properly and was also not behaving properly towards customers. The 4th respondent says that he has got nothing to do with this OA, he is an unnecessary party, and the allegations made against him in the OA are not correct.

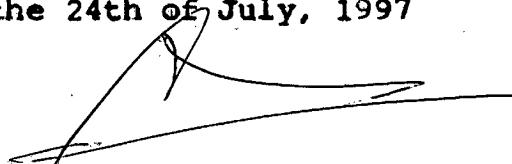
4. Learned counsel appearing for respondents 1 to 3 submitted that an enquiry was conducted against the applicant on the complaint received and a report was submitted to the higher authority for necessary action. Learned counsel appearing for the applicant submitted that if an enquiry was conducted, it was behind his back. If it is an enquiry conducted behind the back of the applicant, it is needless to say that it carries no legal sanction or validity.

5. When the OA came up for hearing, learned counsel for the applicant submitted that since A-5 appeal is pending before the 2nd respondent, it is suffice to direct the 2nd respondent to dispose of the same within a reasonable period. Learned counsel for respondents submitted that there is no objection for adopting such a course.

6. The 2nd respondent is directed to dispose of A-5 appeal filed by the applicant within six weeks from today considering all aspects meticulously. The impugned order, A-1, shall be kept in abeyance till the disposal of A-5 appeal.

7. Original Application is disposed of as above. No costs.

Dated the 24th of July, 1997



A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURES

1. Annexure A1: True copy of the Order No.88/26 dated 16.12.96 of the 1st respondent.
2. Annexure A5: True copy of the appeal petition dated 18.12.1996 of the applicant to the 2nd respondent.

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