

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.122/93

Wednesday, this the 10th day of November, 1993.

SHRI N DHARMADAN, JUDICIAL MEMBER  
AND  
SHRI S KASIPANDIAN, ADMINISTRATIVE MEMBER

MR Saseendran Nair,  
S/o Raman Nair, aged 42 years,  
E.D.Messenger, Kolencherry PO. - Applicant

By Advocate Shri M Paul Varghese

Vs.

1. Senior Superintendent of Post offices,  
Alwaye Postal Division, Alwaye.
2. Chief Post Master General,  
Kerala Circle, Trivandrum.
3. Director General,  
Department of Posts, New Delhi.
4. NE Saramma,  
ED Packer, Kumarapuram PO. - Respondents

Respondents 1 to 3 by Advocate Shri M Gopalan, ACGSC

Respondent-4 by Advocate Shri Abraham Kurian

O R D E R

N DHARMADAN, JUDICIAL MEMBER

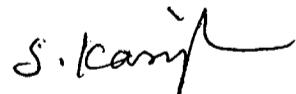
The applicant's grievance is that, his request for transfer as EDBPM, Pattimattom Post Office was not considered while posting the 4th respondent to that post office as EDBPM considering her request for a similar transfer from Kumarapuram Post Office to Pattimattom Post Office.

2. According to the applicant, he is now working as ED Messenger, Kolencherry Post Office and he has inherited landed property within the jurisdiction of Pattimattom Post Office and he is entitled to be considered for transfer to Pattimattom Post office in the light of the policy decisions Annexures-II and III. Since the request was not favourably considered, the applicant approached this Tribunal apprehending that his request will be rejected and 4th respondent will be preferred for granting a transfer to the abovesaid post.

3. The 4th respondent submitted that she was working as EDBPM, Kumarapuram Post Office for eight years and she was placed on put off duty on account of the disciplinary proceedings, but it ultimately ended in her favour and there was a direction to reinstate her. She could not get a posting in Vembilly Post Office but she was posted as ED Packer, Kumarapuram Post Office. When a vacancy arose in Pattimattom, she filed an application for transfer and that was considered by the concerned authority and <sup>an</sup> order was passed posting her to Pattimattom Post office. Accordingly, she took charge from 3.2.1993. She was appointed on the basis of an interim order making it clear that her appointment will be subject to the outcome of the OA.

4. Having heard the learned counsel on both sides, it was felt that the 4th respondent who was working as EDBPM for eight years is eligible to be appointed as EDBPM, Pattimattom Post Office and the authorities have considered the request for transfer favourably to her. The applicant's contention that he is also eligible for consideration, but has not considered along with the 4th respondent cannot be entertained at this stage because the 4th respondent has already been working <sup>for</sup> more than 8 years. However, we make it clear that the first respondent shall consider the transfer of the applicant to Pattimattom or any other nearby Post Office, whenever a vacancy of EDBPM arise in future.

5. With these observations, we close this application. No costs.



(S KASIPANDIAN)  
ADMINISTRATIVE MEMBER

  
00.11.93

(N DHARMADAN)  
JUDICIAL MEMBER

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