

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.189/2002

Friday this the 22nd day of March, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

N.K.Sachidanandan Nair,
Sub Record Officer,
RMS (EK) Division,
Thirussur-21.

...Applicant

(By Advocate Mr. P.S.Divakaran)

V.

1. Union of India, represented by
its Secretary to Government,
Ministry of Communications,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi-110 001.
2. Cheif Post Master,
General, Trivandrum.33.
3. The Postmaster General,
Central Region,
Cochin.16.
4. Senior Superintendent of
RMS (EK) Division,
Kochi.11.

...Respondents

(By Advocate Mrs. P. Vani, ACGSC)

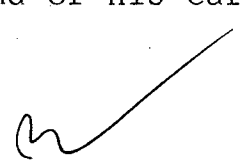
The application having been heard on 22.3.2002, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, Sachidanandan Nair, Sub Record Officer, RMS (EK) Division, Trichur has been by order dated 18.12.2001 (A6) promoted to HSG-I and by Annexure.A7 order dated 12.3.2002 transferred and posted as HSG I, HSA, KSA I and directed to report before 15.4.2002. The grievance of the applicant, who has only a few months to reach the age of superannuation is that while there is justification for upgradation of the post from HSG II to HSG I at Trichur itself, asking the applicant to join at Ernakulam at the fag end of his career is unjustified and

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it would bring on him untold miseries. The applicant had on 4.12.2001 made a representation to the Chief Post Master General seeking upgradation of the post of HSG II in Trichur. The same has not been considered and disposed of. As per the impugned order Annexure.A7 the applicant is to join at Trichur before 15.4.2002. The applicant has therefore, filed this application seeking the following reliefs:

- (a) To set aside Annexures.A6 and A7 to the extent of transferring and posting the applicant from SRO Trichur to HSG I, HSA, KSA I.
- (b) To direct respondents 2 to 4 to permit the applicant to continue to work at SRO, Trissur itself by upgrading the post at Trissur until the retirement dehorse Annexure.A6 and A7.
- (c) To direct the 1st respondent to pass orders in Annexures.A3 and a9 representation permitting the applicant to continue to work in HSG I in SRO Trichur itself until his retirement.
- (d) To direct the 2nd and 3rd respondents to upgrade the post of SRO, Thrissur and appoint the applicant to that post with effect from 11.12.2001 itself so as to enable the applicant to have the pension fixed in the promoted post w.e.f. 11.12.2001.

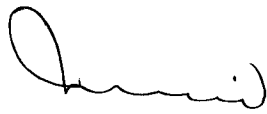
2. When the application came up for hearing Smt.P.Vani took notice for the respondents. Counsel on either side agree that the application may be disposed of directing the second respondent to consider Annexure.A3 representation submitted by the applicant and to give him an appropriate reply before 15.4.2002. In the light of above submission of the learned counsel on either side, the application is disposed of directing the second respondent to consider Annexure.A3 representation and to

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give the applicant an appropriate reply within two weeks from today. There is no order as to costs.

Dated the 22nd day of March, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the letter No.22-1/89-PE-1 dt.16.7.2001 issued by the 1st respondent.
2. A-2 : True copy of the order No.EST/1/3/2001/II dated 2.11.2001 issued by the 2nd respondent.
3. A-3 : True copy of the representation dt.4.12.2002 submitted by the applicant before the 2nd respondent.
4. A-4 : True copy of the Memo dt.11.12.2001 issued by the 2nd respondent.
5. A-5 : True copy of the Order dt.13.12.2002 issued by the 2nd respondent.
6. A-6 : True copy of the Memo No.8 149 dt.18.12.2001 issued by the 4th respondent.
7. A-7 : True copy of the memo No.ST/42-26-96 dt.12.3.2002 issued by the 3rd respondent.
8. A-8 : True copy of the Memo No.8 149 dt.12.3.2002 issued by the respondent No.3.
9. A-9 : True copy of the representation dt.19.12.2001 issued by the 3rd respondent.
10. A-10: True copy of the reminder dt.12.1.2002 sent by the applicant to the 3rd respondent.
11. A-11: True copy of the Order No.151/Rlgs. dt.1.3.2002 issued by the 4th respondent.

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