

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.271/04

Dated Friday this the 25th day of June, 2004.

C O R A M

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

Rajappan P.G.
Higher Grade Postal Assistant
Pala Head Post Office, Pala.

Applicant

(By advocate Ms.K.Indu)

Versus

1. Union of India represented by its Secretary, Department of Post Ministry of Communication New Delhi.
2. The Post Master General Central Region, Kochi.
3. The Senior Supdt. of Post Offices Kottayam Division, Kottayam.
4. Mary Mammen
Assistant (SPM)
Pala Market Junction Post Office
Pala.
5. V.M.Kuruvila
Postal Assistant (APM)
Vaikom Head Post Office
Vaikom.

Respondents.

(By advocate Mr.C.Rajendran, SCGSC (R1-3)

The application having been heard on 25th June, 2004 the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, a Higher Grade Postal Assistant, has filed this application challenging A-1 order dated 23.3.04 to the extent of his transfer from Pala to Vaikom and posting of the 4th respondent at Arunapuram and 5th respondent at Marangattupally. He has also challenged A-3 order by which his request for a posting either at Marangattupally or at Arunapuram had been rejected. It is alleged in the application that although the applicant had completed his tenure at Palai, he having indicated

his preference to Arunapuram and Marangattupally, the action on the part of the respondents in posting the 4th respondent who is junior to the applicant at Arunapuram and giving a posting to the 5th respondent who has not completed his tenure, at Marangattupally, is arbitrary and irrational and since the applicant is suffering from back pain and 54 years old, the transfer is wholly unjustified.

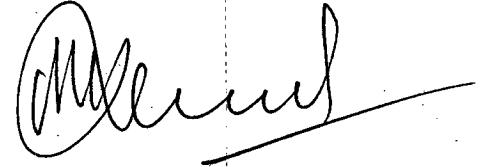
2. Respondents 1 to 3 have filed a statement in reply. They contend that the applicant having completed his tenure has been posted to Vaikom Head Post Office because he having been trained in computer software at government expenses, his posting at Vaikom Head Post Office where computers have been installed was found to be in public interest and in Arunapuram and Marangattupally, no computer is available. The transfer of the applicant to Vaikom having been made in the interests of service, with a view to utilize his expertise, the action is unexceptionable, contend the respondents.

3. On a careful scrutiny of the pleadings as also the documents that are available on record and on hearing Ms.K.Indu, the learned counsel of the applicant and the counsel for the respondents, I find that there is nothing in this application which calls for judicial intervention with the transfer of the applicant. It should be borne in mind that transfer is an incidence of service and one who holds a transferable post has no right to claim posting to a particular place. In this case, the posting of the applicant to Vaikom has been made for a specific reason that he has been trained in computer and in Arunapuram and Marangattupally, his expertise cannot be profitably used as no

such facilities are available there. In Vaikom, computer has been installed and services of a senior person like the applicant who has been trained in computer would be more essential than in Arunapuram or in Marangattupally. I am ~~not~~ convinced that apart from public interest, no extraneous reason has weighed with the decision to transfer the applicant and, therefore, I decline to interfere with the transfer.

4. In the result, in the light of what is stated above, this application is rejected under Section 19 (3) of the Administrative Tribunals Act, 1985.

Dated 25th June, 2004.



A.V. HARIDASAN
VICE CHAIRMAN

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