

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

**ORIGINAL APPLICATION NO:296/2009.
DATED THE 19th DAY OF MAY, 2009.**

CORAM:

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

L.Lalitha,
Working as Postal Assistant,
Kottayam H P O, Kottayam
Residing at Assaricheril House,
Chengalam South, Kottayam.

... Applicant

By Advocate Mr P C Sebastian

V/s

- 1 The Senior Superintendent of Post Offices,
Kottayam Division, Kottayam.
- 2 The Post Master General,
Central Region, Kochi-18.
- 3 Union of India represented by
The Secretary to Government of India,
Ministry of Communications,
Department of Posts, New Delhi ... Respondents

By Advocate Mr TPM Ibrahim Khan SCGSC

This application having been heard on 19.05.2009 the Tribunal on the same day:delivered the following

(ORDER)

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is aggrieved by the Annexure A-1 order dated 29.4.2009 by which several persons have been transferred from their respective places of posting to different locations. The applicant is one among them. She has been transferred from Kottayam H.O to Palai H.O. in the interest of service. However, the applicant has submitted that the said transfer order is highly

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unjust, arbitrary and violative of the standing instructions and hence prejudicial to applicant's fundamental rights under the provisions of Articles 14, 16 and 21 of the Constitution. She has also submitted that she has been posted in SB Branch, Kottayam only w.e.f 15.1.2008 and considering the fact that she has passed SB aptitude test as envisaged in Annexure A 2 standing orders she has five years tenure on the post. Applicant has also submitted that she has earlier made an application for mutual transfer to Mavelikkara and the same is still pending.

2 Learned counsel for applicant Shri Sebastian has submitted that she has approached this Tribunal without making any representation as she has no time to make such a representation and she is being pressured to join the new place of posting. Learned counsel for respondents on the other hand, submitted that there is no scope for making any such representation as the transfer of the applicant is only from Kottayam to Palai which is only 30 KMs away and it is also within the same division.

3 In my considered opinion, this OA can be disposed of at the admission stage itself by directing the applicant to make a detailed representation to the second respondent within a period of one week from today. On receipt of such a representation, the 2nd respondent, by following the rules, regulations and guidelines on the subject, pass a reasoned and speaking order within a period of 30 days thereafter. Till such time, the applicant shall not be relieved from the present place of posting.

A handwritten signature in black ink, appearing to be a stylized 'S' or a similar character, followed by a horizontal line.

4 With the aforesaid direction, this OA is disposed of. There shall be no orders as to cost.

Copy of this order be given to counsel for parties today.


GEORGE PARACKEN
JUDICIAL MEMBER

abp