

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

**Original Application No. 324 of 2012**

THURSDAY, this the 30<sup>th</sup> day of May, 2013

**CORAM**

**HON'BLE Mr. K. GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

Smt. P. Sheela, aged 49 years,  
W/o. P. Jayadevan,  
Sub Postmaster, Calicut City,  
Kozhikode Division,  
Residing at "36/997-B" Swapnam,  
Vengeri PO, Kozhikode : 673 010

... Applicant.

(By Advocate Mr. Shafik M.A)

V E R S U S

1. Union of India represented by  
Chief Postmaster General, Kerala Circle,  
Trivandrum : 695 033
2. The Postmaster general,  
Northern Region, Calicut : 673 011
3. The Senior Superintendent of Post Offices,  
Calicut Division, Calicut : 673 012

... Respondents

(By Advocate Mr. M.K. Aboobacker, ACGSC)

This application having been heard on 27.05.2013, the Tribunal on 30.05.13 delivered the following:

**ORDER**

**HON'BLE MR. K. GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

While working as Sub Postmaster, Calicut City P.O, the applicant had requested on extreme compassionate grounds for a temporary transfer to Aluva Postal Division for a period of six months to join her husband, who is

working as Senior Superintendent of Post Offices, Aluva Division. In reply to her request dated 01.11.2011, vide impugned order dated 12.12.2011, she was directed to apply for Rule 38 transfer, if willing. Aggrieved, she filed this O.A for the following reliefs:

- (i) To call for the records leading to the issue of Annexure A-1 to A-9 and to quash A-2;
- (ii) To declare that the applicant is entitled for a temporary transfer to Aluva Division in the circumstances of the case and to direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to allow temporary transfer to the applicant to Aluva Division;
- (iii) To pass such any other orders which this Hon'ble Court may deem fit and proper in the circumstances of the case.

2. The applicant contended that she was entitled for identical treatment, as given to one Smt.Kamala Pattanapurath by the respondents, on spouse and medical grounds. A transfer under Rule 38 would cause immense hardship to her in the facts and circumstances of her case. She has been discriminated against. Two more officials were granted temporary transfer for a period of one year by the respondent No.2. On 12.04.2012, this Tribunal had given interim relief on spouse ground by directing the respondents to issue a provisional temporary transfer order for a period of six months to the applicant. By order dated 01.11.2012, respondents Nos. 2 and 3 were directed to extend the temporary transfer of the applicant for a period of one year from 04.11.2012 to 03.11.2013 as fresh orders of temporary transfer of lady staff in Calicut and Vadakara Divisions were issued in December, 2011 and April, 2012.

3. When the parties were heard on 27.05.2013, it was submitted by the



learned counsel for the applicant that the temporary transfer of the applicant had been extended upto 03.11.2013 in pursuance of the interim direction of this Tribunal and that the applicant's main grievance is redressed. Hence the O.A can be closed.

4. As the temporary transfer has been granted to the applicant to Aluva Postal Division, the cause of action for this O.A no longer survives and this O.A can be closed. The O.A is accordingly closed. No costs.

(Dated, the 30<sup>th</sup> May, 2013)



**(K. GEORGE JOSEPH)**  
**ADMINISTRATIVE MEMBER**

cvr.