

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.367/2003

Tuesday this the 29th day of April, 2003

CORAM

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Janardhana Kurup,
S/o N.Krishna Pillai,
aged 58 years, Postal Assistant
(Time Bound One Promotion) Karunagappally
resdiding at J.V.House, Mavinmood, Kallambalam...Applicant

(By Advocate Mr. C.Unnikrishnan)

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1. Union of India, represented by its Secretary, Department of Posts, New Delhi.
2. The Senior Superintendent of Post Offices, Kollam Division.
3. M.Sunila, Postal Assistant, Prayar, Oachira.
4. Mariam K.Joseph, Postal Assistant, Karunagappally. Respondents

(By Advocate Mr. CB Sreekumar, ACGSC)

The application having been heard on 29.4.2003, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant who is a Postal Assistant, Karunagappally Head Post Office, is aggrieved by Annexure.A1 transfer order dated 25.4.2003 whereby he has been transferred from Karunagappaly to Mynagappally. According to the applicant, by Annexure.A2 representation dated Nil, he had made a request to be retained in Karunagappally

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although he had completed his tenure in that station. He had pointed out in the said representation that he was left with only two years of service and that Karunagappally being a place connected by rail from his home town he could commute the distance with greater ease. If retention was not possible, Ochira was the next place of his choice. It would appear that Annexure.A2 representation was made before the impugned Annexure A.1 order was issued. Obviously, this request was not considered by the respondents while issuing Annexure.A1 transfer order. Thereupon on 28.4.2003 the applicant made Annexure.A3 representation pointing out the fact that while his representation was not considered, some of the juniors were accommodated in places of their liking without considering the fact that they have also completed their tenure. In this OA, the applicant prays for an order quashing Annexure.A1 transfer order to the extent it would affect his interest. He also seeks for a declaration that he was entitled to be considered for retention at Karunagappally or a transfer to Ochira in view of the fact that he had hardly two years to retire on superannuation.

2. When the matter came up for hearing on admission, Shri CB Sreekumar, learned Additional Central Government Standing Counsel took notice for the respondents 1&2. Respondents 3&4 are party respondents who, according to the applicant, have been favoured while applicant's case was ignored. Shri C.Unnikrishnan, learned counsel for the applicant would submit that the applicant would be satisfied if the representations Annexure.A2 and A3 were considered

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properly and appropriate orders were passed thereon. Shri CB Sreekumar would state that the respondents would have no objection to consider the representations, if received by the competent respondent.

3. In the light of the above submissions, I consider it appropriate to dispose of this application by directing the second respondent to consider the facts mentioned in the representations Annexure.A2 and A3 particularly the fact that the applicant has just about two years before he retires on superannuation and pass appropriate orders as expeditiously as possible and in any case within a period of one month from the date of receipt of a copy of this order. The second respondent is directed accordingly. The second respondent is further directed to allow the applicant to continue at Karunagappally till such time that the representations are disposed of as directed above. No costs.

Dated this the 29th day of April, 2003



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)