

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.388 of 1996

Tuesday, this the 2nd day of April, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

Boban K Mathew, S/o Mathai,
Extra Departmental Agent, Chemmannur,
Kuttungal, Rajakkad.

.. Applicant

By Advocate Mr R Sreeraj.

Vs.

1 The Postmaster General,
Central Region, Kochi.

2 The Chief Post Master General,
Kerala Circle, Trivandrum.

3 The Director General, Posts,
New Delhi.

.. Respondents

By Advocate Varghese P Thomas, Addl.CGSC

The application having been heard on 2nd April 1996,
the Tribunal on the same day delivered the following:

O R D E R

Applicant an Extra Departmental Delivery Agent
seeks a direction to consider his request for transfer
to Trichur Division. Under A2 order, transfers cannot
be granted outside the recruiting unit. This Tribunal
will not be justified in issuing a direction, contrary
to the orders on the subject.

2 Very often the rules do not and cannot provide
for every contingency that may arise. To do justice
to a party, power of relaxation is often given to the
Head of the Department. Rule 88 of the Central Civil
Services (Pension) Rules, is an instant in point.

.. 2/-

3 Applicant who is only 26 years old submits that he lost his wife who was suffering from Tuberculosis, and that his infant child is also ailing. He submits that this is a case where an extremely compassionate view should be taken. That is for the Head of the Department to do and not by this Tribunal. Applicant may make a representation before the Director General, Posts, and we are confident that the matter will receive sympathetic consideration at the hands of the Head of the Department, without much delay.

4 Standing counsel submits that he will forward a copy of the original application, and a copy of this order to the Director General, Posts. We record the submission.

5 With the observations as aforesaid, the application is disposed of. No costs.

Dated the 2nd April, 1996.


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

List of Annexure

1. Annexure-A2: True copy of the letter No.19-21/94-ED /TRG dated 11.8.1994 issued by Assistant Director General for 3rd respondent.