

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 390 of 2003

Tuesday, this the 3rd day of June, 2003

CORAM

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

1. P. Madhu,
S/o Mathai,
Gramin Dak Sevak,
Veroor PO, Changanacherry,
Residing at Pallikunnel House,
Veroor PO, Kurisumood,
Changanacherry.Applicant

[By Advocate Mr. P.C. Sebastian]

Versus

1. The Asst. Supdt. of Post Offices,
Changanacherry Sub Division,
Changanacherry PO, Pin - 686 101

2. The Postmaster General,
Central Region, Kochi - 682 016

3. The Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.

4. The Union of India, represented by its
Secretary, Ministry of Communications,
Department of Posts, New Delhi.Respondents

[By Advocate Mr. K.R. Rajkumar, ACGSC]

The application having been heard on 3-6-2003, 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, Shri P Madhu, presently working as
Gramin Dak Sevak Mail Carrier at Veroor BO within
Changanacherry Sub Division, is aggrieved by Annexure A-1
notice dated 4-4-2003 of the 1st respondent calling for
applications from outside candidates for appointment to the
post of Gramin Dak Sevak Mail Deliverer, Changanacherry

2.

Industrial Nagar Post Office within the same Sub Division, ignoring his preferential claim for appointment by transfer. Apparently, the stand of the respondents is that Gramin Dak Sevaks are not liable to be transferred under the provisions of Gramin Dak Sevaks (Conduct and Employment) Rules, 2001. The applicant, however, relies on several decisions of this Tribunal and more particularly the decision of this Bench of the Tribunal in OA No.45/1998 dated 25-2-1999 as also the subsequent circular Annexure A-2 dated 6-10-2000. According to the applicant, by Annexure A-5 representation (Annexure A-5[a] in English) the applicant requested the 3rd respondent to consider his case for appointment by transfer as Gramin Dak Sevak Mail Deliverer, Changancherry Industrial Nagar Post Office, which is yet to be disposed of.

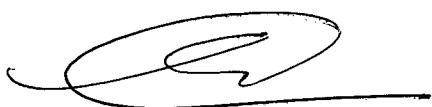
2. When the matter came up for hearing on admission, counsel on either side agree that the OA can be disposed of by directing the respondents to consider the applicant's pending representation Annexure A-5 dated 10-4-2003 in the light of the existing instructions and the decisions of this Tribunal on the transferability of Gramin Dak Sevaks. On the basis of the above submission, it is considered appropriate to dispose of this OA by directing the 3rd respondent, viz. the Chief Postmaster General, Kerala Circle, Thiruvananthapuram, to consider the applicant's Annexure A-5 representation dated 10-4-2003 in the light of the existing instructions on the subject and the orders of this Tribunal on similar issue, pass appropriate orders thereon and communicate the same to the applicant as expeditiously as possible and in any case within a period of two months from the date of receipt of a copy of this

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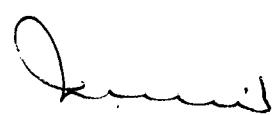
order. We direct the 3rd respondent to do so. It is made clear that till then the respondents shall not proceed with Annexure A-1 notice dated 4-4-2003.

3. The Original Application is disposed of as above. No order as to costs.

Tuesday, this the 3rd day of June, 2003



K.V. SACHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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