

Central Administrative Tribunal, Lucknow Bench, Lucknow  
Original Application No. 385/2004

this the 2nd day of November, 2004

HON'BLE SHRI S.P. ARYA, MEMBER (A)

1. Mithlesh Kumar Singh, aged about 47 years, Postal Assistant, Mahanager Post Office, Lucknow r/o 699, Sector M-2, Kursi Road, Aliganj, lucknow.
2. Sadre Alam aged about 45 years son of Sri Shamsuddin, Postal Assistant A-Park, Lucknow, r/o L-1/136-B, Priya Darshani Colony, Lucknow-226020.
3. Beena Srivastava aged about 57 years P.A., A Park Post Office, Lucknow.
4. Secretary, B.D.K.S., lucknow Division.

...Applicants

By Advocate: Sri R.S. Gupta

Versus

1. Union of India through the Secretary, Department of Post, Dak Bhawan, New Delhi.
2. CHief Post Master General, U.P., Lucknow
3. Senior Superintendent of Post offices, Lucknow.
4. Sri Laxman Singh, Senior Superintendent of Post Offices, Lucknow.
5. Sri A.S. Chauhan, S.P.M, Vikas Nagar Post Office, Lucknow.
6. Sri Mast Ram, S.P.M. Chandganj Post Office, Lucknow.
7. Sri Abdul Hakim, SPM, Daliganj Post Office, Lucknow.

...Opposite Parties

By Advocate: Sri S.K. Pandey

ORDER (ORAL)

BY HON'BLE SHRI S.P. ARYA, MEMBER (A)

The applicants were working as Postal Assistnats in LSG (OTBP) from different dates. The grievance of the applicants is that junior to them have been appointed as Sub Post Master (SPM) but they

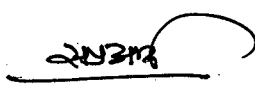
have not been posted as SPM. Representation made by them have not yet been decided.

2. I have heard the counsel for parties and perused the pleadings.

3. The counsel for the applicant has relied on Rule 60 and 61 of the P&T Manual Volume IV dealing with Transfers and Postings. Rule 61 provides that an officer should not ordinarily be brought back to the same Division. The applicants find place at S.Nos. 114, 139 and 198 in the seniority list. The official who is placed at S.No. 234 has been posted as SPM neglecting the claim of the applicants who are senior to him.

4. Having heard the counsel for the parties, it is found expedient in the interest of justice to direct the respondent No. 2 to decide the representation placed at Annexure No. 3 to 7, a copy whereof would be filed by the applicants, within 2 months in accordance with rules contained in the <sup>PandT L</sup> manual and extant instructions in this regard. A copy of the order deciding the representation be also made available to the applicants.

5. With these directions, O.A is disposed of without any order as to costs.

  
(S.P. Arya)  
Member (A)

HLS/-