

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW

Original Application No: 270/10
This the 2nd day of JULY, 2010

HON'BLE DR. A. K. MISHRA, MEMBER (A)

1. Om Prakash Tiwari, aged about 44 years, Son of Shri Shri Govind Tiwari R/o Village Swami Haraiyan Chhapiya Po. Swami Haraiyan CChhapiya, District Gonda. GDS BPM Sheetalganj Grant (Maskanwa) Gonda.
2. Ram Naresh Tiwari aged about 52 years S/o Late Shri Durga Prashad Tiwari R/o V & Po. Kunjalpur Gonda GDS BPM Jhilahi (Mankapur Bazar) Gonda.

Applicants

Versus

1. Union of India through the Secretary Department of Posts, Dak Bhawan, New Delhi.
2. CPMG UP Lucknow.
3. PMG Gorakhpur.
4. SPOs Gonda.

Respondents

Present for Applicant: Sri R. S. Gupta.

Present for Respondents: Sri Pankaj Awasthi for
Sri R. Mishra


Order (Oral)

By Hon'ble Dr. A. K. Mishra, Member (A)

Learned counsel for the applicant submits that the two applicants who have filed this O.A. jointly were originally transferred by order dated 14.9.2007. In pursuance of this transfer order, the two applicants had joined at their new place of posting on 14.9.2007 and have been working continuously.

2. The impugned transfer order dated 31.5.2010 has been made by Post Master General in respect of 15 persons by which their transfer orders earlier were cancelled. Three other employees namely Shri Shiv Murti Singh, Rajesh Singh and Pankaj Kumar Tripathi who were affected by this cancellation order filed O.A. No. 884 of 2010 before Allahabad Bench of this Tribunal which has passed an order on 22.6.2010 directing the Director General (Posts), New Delhi to consider the representation of those applicants and pass appropriate reasoned and speaking order on their representation within a period of one month from the date of receipt of certified copy of the order. The Tribunal further directed that till disposal of the representation, the applicants shall not be spared if they have already not been spared.

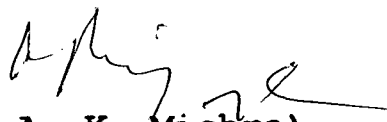
3. The learned counsel submits that the present two applicants have also filed a similar representation before the Director General (Posts) on 15.06.2010 and their representation is yet to be finally disposed of. He is requesting for a direction to the Director General (Posts) for final disposal of their representation and also for interim direction not to spare them till disposal of their representation.



4. The learned counsel for the respondents raised a preliminary objection saying that a joint application in the matter of transfer is not admissible. Since the O.A. has been filed on a common ground relating to cancellation of transfer orders made earlier and since similar joint application had been admitted by a coordinate bench, I do not find any legal ground to sustain this objection.

5. After hearing the rival contention, the Respondent No. 1 DG (Posts) is directed to dispose of the pending representation dated 15.6.2010 of the two applicants within a period of one month from the date of receipt of copy of this order along with a copy of the original representation. Till disposal of their representation, the two applicants shall not be spared from their place of posting if already not spared.

6. Accordingly, O.A. is disposed of. No cost.


(Dr. A. K. Mishra)
Member (A)

Vidya