

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application: 346/2010

This, the 18th day of August, 2010

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

Smt. Suman Singh aged about 30 years w/o Sri Ramedra Vikaram Singh, presently working as GDS Branch Post Master Gorabarik, District Sultanpur.

Applicant

By Advocate Sri A. P. Singh

Versus

1. Union of India through Secretary Department of Post Dak Bhawan, New Delhi.
2. Chief Post Master General, Lucknow Region, Lucknow.
3. Superintendent of Post Offices, Sultanpur Division, Sultanpur.
4. Assistant Postal Superintendent, South Division, Sultanpur.
5. Inspector Posts, Musafir Khana, Sultanpur.

Respondents

By Advocate Shri R. Mishra.

Order (Oral)

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

Heard both parties.

2. It is the case of the applicant that she was regularly appointed on the post of Gramin Dak Sewak Branch Post Master Naugawan Raitasi, District Sultanpur vide order dated 02.08.2002. Because of security ground and other personal reasons, she made repeated representation to the higher authorities for her posting at GDS Branch Post Master Gorabarik. Her request was considered and she was provisionally appointed at Gorabarik vide order dated 13.6.2007 of the Superintendent Post Office, Sultanpur. She has continued to work there for more than 3 years and claims to have acquired a lien on the post at Gorabarik. At the time of hearing, a mention of Rule 6 (12) of the GDS (Conduct

and Employment) Rules, 2001 was made. This rule states about the need for regularizing a provisional appointee if he/she works for a period exceeding 180 days. But, now, she has been reposted to her original post vide impugned order dated 12.8.2010. Before issue of this order, she had made two representations: one to the Superintendent Post Offices, Sultanpur and the other to the chief Post Master General, Lucknow on 4.8.2010 to consider her to be regularly appointed on the post of GDS Branch Post Master at Gorabari. She has also mentioned that she was relinquishing her claim/rights on the post of Naugawan Raitasi, Sultanpur. No action has been taken on these two representations. It is her prayer that the competent respondent authority may consider her representation and allow her to be regularly appointed on the vacancy at Gorabari which occurred on account of superannuation of the previous incumbent and the vacancy at Naugawan Raitasi to be created could be filled up by the respondents authority according to rules.

3. It was pointed out by the learned counsel for the respondents that the applicant has not filed any specific representation against the impugned order. He is hereby directed to file a specific representation against the impugned transfer order dated 12.8.2010 to the next higher authority who is to be treated as the competent authority to dispose of her representation. The next higher authority is directed to dispose of the pending representation of the applicant dated 4.8.2010 as well as the fresh representation to be made against the impugned order within a period of two months from the date of supply of copy of this order along with

copies of representation and decide it by passing a speaking order according to rules. Till final disposal of her representation, the applicant may be allowed to continue at Gorabarik which happens to be a present place of posting, if she has not been relieved as of now.

4. Accordingly, the O.A. is disposed of in terms of the above directions. No costs.


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

v.