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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

O.A.No. - 471 of 1987
T.A.No. - 198 -
Stamp No. 430 of 1987.

DATE OF DECISION 22.7.1987

PEDRO CASSIANO MENDES Applicant/s.

Mr.C.Nathan Advocate for the Applicant/s.

Versus

Union of India & three other Respondent/s.

Ministry of Communications, New Delhi.

Mr.S.R.Atrey (for Mr.P.M. Pradhan) Advocate for the Respondent(s).

CORAM:

The Hon'ble Vice-Chairman Shri B.C.Gadgil.
~~The Hon'ble~~

1. Whether Reporters of local newspapers may be allowed to see the Judgment? - yes
2. To be referred to the Reporter or not ? no
3. Whether to be circulated to all Benches? no

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

Original Application No.471 of 1987.
(Application Stamp No.430/87)

FEDRO CASSIANO MENDES

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Applicant

V/s

1) Senior Superintendent of Post
Offices, Goa Division,
Panaji -403001.

2) Director of Postal Services,
Pune Region, Pune-411001.

3) The Post Master General,
Maharashtra Circle,
Bombay-1

4) The Union of India,
Post & Telegraph,
Ministry of Communication,
through Law Officer,
Govt. of India, 2nd floor,
Income Tax Annexe Building,
Maharashi Karve Marg,
Bombay-400-020.

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Respondents

Coram: Hon'ble Vice-Chairman Shri B.C.Gadgil

Appearances:

Mr.C.Nathan, Advocate for the
applicant.

Mr.S.R.Atre, Advocate (for Mr.
P.M.Pradhan) for the Respondents

Tribunal's Order

Dated 22-7-1987.

(Per Hon'ble Vice-Chairman Shri B.C.Gadgil)

1. There is an usual chain of transfer of postal employees.

A grievance is made that the transfer order is causing
inconvenience to many of the employees.

2. I have heard Mr.Nathan for the applicant. He has frankly
stated that he would like to restrict his prayer with respect
to S/Shri J.N.Naik and H.V.Rawool. Afterward with respect to
the Rest of transfers is not pressed.

3. Application is admitted. So far as the transfer of
Mr.Naik and Mr.Rawool is concerned, I suggested that the matter
may be heard today as it is a short one. They agreed and

B.C.G.

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hence I have heard both of them. It is true that Mr. Atre made a submission that the Respondents would like to file a written reply. However, I told him that he may make an oral submissions to cover such reply and they will be taken into account.

4. Mr. H. V. Rawool has been transferred from Ponda to Mapuca vice Shri J. N. Naik is transferred from Mapuca to Ponda. By cancelling the transfer of these two employees, there would not be any administrative difficulty for the department. Mr. Atre told me that both the persons have completed four years of service at their respective stations and that in this background, there is no case for them to pray that the transfer should be cancelled.

5. Mr. Atre drew my attention to the fact that Mr. Rawool though initially requested for his retention at Ponda has prayed that in case he is to be transferred he should be transferred to 2/3 places including Mapuca. Mr. Atre contends that Mr. Rawool is accommodated by posting him at Mapuca and that therefore he cannot ^{claim} that he should be retained in Ponda.

6. Mr. Nathan submitted that Mr. J. N. Naik is suffering from fracture on his leg and that it would be in the fitness of things if Mr. Naik is permitted to continue at Mapuca for one year.

7. Mr. Atre submitted that such an order would unnecessarily create problem to the administration as Mr. Naik may claim retention at Ponda even for many years on some plea.

8. Mr. Nathan submitted that Mr. Rawool and Naik may be retained in their respective places for one more year (i.e. 1987-1988) and he may be transferred in due course in the next year. On behalf of his clients he gives undertaking that Mr. Rawool and Naik would not make any grievance of transfer if made in the next year.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

Application Stamp No.430/87

PEDRO CASSIANO MENDES

.. Applicant

Vs

Senior Superintendent of
Post Offices, Goa Division,
Panaji - 403 001 and 3 Others

.. Respondents.


Coram: Hon'ble Vice-chairman Shri B.C.Gadgil.

Tribunal's Order
(Per Vice-chairman Shri B.C.Gadgil)

Dated: 8th July, 1987.

Heard Mr.C.Nathen for the applicant. Issue notice for Admission to the Respondents returnable on 22.7.87. No ex parte ad interim order for staying the impugned transfer order. However, issue notice to the Respondents 1,2 and 3 returnable on 22.7.87 to show cause as to why the interim relief as prayed for should not be granted.

Hamdust allowed.


(B.C.GADGIL)
Vice-Chairman

*Notices issued to the
Res. Nos. 1, 2 & 3 on dtd.
20/15/7/87.
Per 15/7.*