

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 346 /1997.

Date of Decision: 13.05.1997.

Shri P. S. Deshmukh,

Petitioner/

Shri S. P. Saxena,

Advocate for the
Petitioner/

V/s.

Union Of India & Others,

Respondent/

Shri S.S. Karkera for

Advocate for the
Respondent/s

CORAM:

Hon'ble Shri M. R. Kolhatkar, Member (A).

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- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?

M. R. Kolhatkar
(M. R. KOLHATKAR)
MEMBER (A).

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 346/97

Dated this Tuesday, the 13th day of May, 1997.

CORAM : HON'BLE SHRI M. R. KOLHATKAR, MEMBER (A).

Shri P. S. Deshmukh,
Sr. Supdt. of Post Office,
Pune.

(Residing at Qtr. No. 6/61,
Old type, P & T Colony,
Gultekdi,
POONA - 37).

(By Advocate Shri S.P. Saxena)

Applicant

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VERSUS

1. The Union Of India
Through the Secretary,
Ministry of Communication,
(Department of Posts),
NEW DELHI - 110 001.
2. The Chief Post Master General,
Maharashtra Circle,
G.P.O.,
Mumbai - 400 001. Respondents.
3. The Post Master General,
Poona Region,
PUNE - 411 001.

(By Advocate Shri S.S. Karkera
for Shri P. M. Pradhan).

: ORAL ORDER :

[PER.: SHRI M. R. KOLHATKAR, MEMBER (A)]

Heard Shri S.P. Saxena for the applicant and
Shri S.S. Karkera for Shri P.M. Pradhan, Counsel for the
Respondents. Perused the O.A. as well as the written
statement and the rejoinder. It would appear that the
matter turns on interpretation of Guideline No. 7 in terms of
which the applicant completes four years' station tenure in
whether
Pune in February 1996 and the same can be extended upto

six years in individual cases in public interest. The applicant's representation has been turned down at the level of Post Master General vide letter dated 01.04.1997 placed at exhibit R-1. However, it appears that ~~extension~~ ^{power of} station tenure beyond four years vests only on the Director General of Posts. My attention has also been invited to para 58 of the Post and Telegraphs Manual, Volume-IV, according to which every Superintendent of Post Officers should hold charge of a Railway Mail Service Division for atleast four years and every Railway Mail Service Superintendent should hold charge of a Postal Division for not less than four years. The note ~~says~~ that the provisions of this rule do not apply to Superintendents who are above 45 years of age. It is not clear whether these instructions are modified. All the same, I am of the view that the O.A. can be disposed of at the admission stage itself by directing the applicant to make a detailed representation to the Director General of Posts for retaining him upto six years i.e. upto February 1998 in terms of Guidelines No. 7. The applicant to file a representation within a fortnight from the date of communication of the order. The respondents to dispose of the representation within four weeks thereafter. Status-quo sofar as the posting of the applicant is concerned. The applicant may either be accomodated in Pune in some other post till the above process is completed or he may be placed on compulsory waiting. This order ~~would~~ operate for a fortnight from the date of receipt of communication from the Director General of posts.

2. The O.A. is disposed of with the above directions. There will be no order as to costs.

M.R.Kolhatkar

(M. R. KOLHATKAR)
MEMBER (A).

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