

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO. 891/1997.

Friday, this the 3rd day of October, 1997.

Coram: Hon'ble Shri B.S.Hegde, Member(J).

Smt.K.M.Zende,  
Block No.6,  
Triveni Sangam Apartment,  
Manik Baug, Sinhagad Road,  
Vadgaon - Budruk,  
Pune - 411 041.

... Applicant.

(By Advocate Shri S.P.Kulkarni)

V/s.

1. Union of India through  
Assistant Superintendent of Post  
Offices, Town Sub-Office III,  
Pune - 411 001 (R.M.S. Rest House  
Building) Pune.
  2. Sub-Postmaster,  
Deccan Gymkhana Post Office,  
Pune - 411 004.
  3. Senior Superintendent of Post Offices,  
Pune City West Division,  
Pune - 411 030.
  4. Postmaster General,  
Pune Region,  
Pune - 411 001.
- ... Respondents.

O R D E R

(Per Shri B.S.Hegde, Member(J))

Heard Shri S.P.Kulkarni, counsel for the applicant. The counsel for the applicant states that the applicant was working initially as a Stamp Vendor and later on she was assigned the duty of Postman and in that capacity she had been working for the



...2.


last six years. Thereafter, she found some difficulty in going out and distribute letters, as she had some medical problems. Therefore, she made a representation to the competent authority to consider her request that she be given light duty and stationery work as Stamp Vendor. Despite her request for light duty the Assistant Superintendent of Post Offices vide his letter dt. 13.12.1996 rejected her request and directed her to work as Postman only and not as a Stamp Vendor or any other light duty post. Thereafter, she gave a representation to the higher authorities requesting for consideration of her request and submitted medical reports. The Medical Superintendent of Sassoon General Hospital, Pune vide certificate dt.17.7.1997 has stated that she is suffering from Degenerative Spondylosis and she is advised light duty for one year and review after one year. Despite, the report they did not accede to the request of the applicant and directed her to continue as Postman and it is stated that she is on leave.

2. In the light of the above, I am of the view, that the action of the respondents is unimaganitive and not based on factual contents nor have cared to go by the Medical Certificate issued by the Medical Authorities. The respondents cannot take arbitrary decision about the posting without giving any weight to the Medical Reports.

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3. In the circumstances of the case, I hereby direct the respondents to allow the applicant to join duty and give her a light duty either as a Stamp Vendor or post which carry light nature of duty. It is learnt that there are two posts of Stamp Vendor available in Pune City and one post may be given to her, within a period of one month from the date of receipt of this order. In case she recovers from her medical illness, later on the respondents may review the matter and consider whether she is fit for outside duty. With the above directions the O.A. is disposed of.

Dasti.

  
(B.S. HEGDE)  
MEMBER(J).

B.