

CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 788/98

Date of Decision: 5/11/98

Shri Nandkumar Peter Shinde Petitioner/s

Shri S.P. Kulkarni Advocate for the  
Petitioner/s.

v/s.



Union of India & 3 Ors. Respondent/s

Shri V.S. Masurkar Advocate for the  
Respondent/s

CORAM:

Hon'ble Shri Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri

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

abp.

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GULESTAN BUILDING NO.6, 4TH FLOOR, PRESCOT RD,  
FORT, MUMBAI-400 001.

ORIGINAL APPLICATION NO:788/98.

DATED THE 5TH DAY OF NOVEMBER, 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Shri Nandkumar Peter Shinde,  
Assistant Superintendent,  
Post Offices(West),  
Sub.Divn., Nashik.

Residing at  
N-34/S-1/2/04,  
CIDCO,  
Swami Vivekananda Nagar,  
At P.O. Nashik-422 009.

... Applicant.

By Advocate Shri S.P.Kulkarni

V/s.

1. Union of India,  
Through  
Director of Postal Services,  
Aurangabad Region,  
Office of Postmaster General,  
At. P.O.  
Aurangabad-431 002.

2. Postmaster General,  
Aurangabad Region,  
At P.O.Aurangabad-431 002.

3. Chief Postmaster General,  
Maharashtra Circle,  
Old GPO Building, Fort,  
Mumbai - 400 001.

4. Senior Superintendent of Post Offices,  
Nashik Postal Division,  
At P.O.Nashik - 422 001.

... Respondents.

By Advocate Shri V.S.Masurkar.

I O R D E R

I Per Shri R.G.Vaidyanatha, Vice Chairman I

1. This is an application challenging the order of transfer dated 31/8/98 in which the applicant has been transferred to the Postmaster General's office at Aurangabad. Respondents have filed reply opposing the application. I have heard both the counsels.

2. Though the applicant is challenging the order

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of transfer on many grounds, Shri S.P.Kulkarni, learned counsel for applicant submitted that the applicant will be satisfied if the order of transfer is stayed till end of academic year or till a reasonable period to enable the applicant to shift his family since his wife is suffering from hypertension.

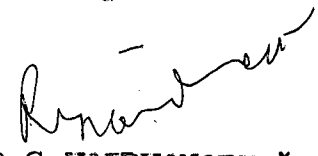
The learned counsel for respondents while opposing granting of time, submitted., the matter is left to the discretion of the Tribunal.

3. After hearing both the counsels, I suggested that applicant may be kept at Nashik till end of December, 98 for which both the counsel agreed.

Hence without going into the merits of the case, I think it is a fit case where the order of transfer should not be given effect to till 31/12/98. The learned counsel for applicant submitted that his client will give an undertaking that he will get himself relieved by 31/12/98 and join the new post.

4. In the result, the OA is disposed of at the admission stage with direction to respondents not to give effect to order of transfer dated 31/8/98 so far as the applicant is concerned till 31/12/98. The applicant should give an undertaking as mentioned above within one week from today with copy to respondent's counsel. No costs.

abp.

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN