

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

THURSDAY THE third DAY OF September
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR. B.N.JAYA SIMHA: VICE-CHAIRMAN
AND
THE HON'BLE MR.D.SURYA RAO: MEMBER.

ORIGINAL APPLICATION NO. 567 of 87

Between:-

- 1) Ch. Solomon
- 2) Smt. Ch. Pushparajam.

.....Applicants.

- 1) ^{And} Union of India, Rep. by the Post Master General, Andhra Circle, Hyd-1.
- 2) Director of postal services, A.P., Northern Region, Hyderabad.
- 3) Superintendent of post office, Adilabad Division, Adilabad Dist.

.....Respondents.

Application under Section 19 of the Administrative Tribunals Act, 1985 praying that in the circumstances stated therein the Tribunal will be pleased to direct the respondents herein to retain the applicants hereinat Adilabad by declar the impugned Transfer order No. B1-611. dt-6-4-8 (Batches 1 & 2) in so far as the applicants herein at sl. nos. 6 and 32 respectively are concerned as illegal, null and void.

ORIGINAL APPLICATION NO.547 of 1987

(ORDERS OF THE TRIBUNAL)

The applicants herein, who are husband and wife, are working at Adilabad in ^{the} Postal Department. Both the applicants were transferred from Adilabad to Mancherial vide separate orders issued on 6-4-1987 by the third respondent, viz., Superintendent of Post Offices, Adilabad. They question these orders of transfer on the ground that they are entitled to remain for one more tenure Adilabad according to the DG, P&T, New Delhi Circular dated 18-3-1985 wherein certain policy guidelines in regard to transfer of officials of the Department were issued. Their request for retention was rejected by the respondents 2 and 3. They cite the cases of following Postal Assistants, who have been staying in Adilabad for periods ranging from 10 to 17 years : S/shri T.L.N. Rao, R.P.Shetty, A.Bhagawandas, A.Bhaskar Rao, Shashi Kantha Rao, P.Rajeswara Rao and S.Dinkar Rao. They also state that the authorities to whom they represented, have not given full consideration of the points raised by them in such a representations.

contd..2

2. We have heard Shri T.Jayant, Counsel for the applicants and Shri N.R.Devaraj, Standing Counsel for the Respondents. Shri Jayant also ~~mentions~~ ^{alleges} that the Superintendent of Post Offices has retained the persons whose names have been mentioned above, because ^{showing} ~~of~~ favouritism towards them and therefore, his action is mala fide. Sri Devaraj, Counsel for the Respondents submits that transfer is a matter falling within ~~the~~ administrative policy and exigencies of service. We are reluctant to interfere in matters of transfer, particularly when persons have completed their tenure. However, the Department would have to consider the grievances of the employees when employees concerned allege favouritism in the matter of transfers, ^{as} ~~as~~ ⁱⁿ ^{employees} some people and more so, ^{specific} when these names have been brought to the notice of the higher authorities. We, therefore, consider it necessary to direct the Postmaster-General, Andhra Pradesh Circle, Hyderabad to consider the ~~as~~ allegations made by the applicants and deal with the grievance of the ~~employees~~ ^{applicants}. One set of papers filed by the applicants may be sent to the Postmaster-General along with the copy of this Order for

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information and necessary action. With these directions, the application is disposed of at the time of admission.

B.N.Jayasimha
(B.N.JAYASIMHA)
Vice-Chairman.

D.S.Rao
(D.SURYA RAO)
Member (Judl.)

3rd September, 1987.

RSR°