

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH : AT HYDERABAD :

OA No.537 of 1990.

Date of Judgment : 11-7-1990.

R.Ch.V.Prasad

....Applicant

Vs.

1. Secretary Department of Posts,
Dak Bhavan, New Delhi-110001.
2. The Director of Postal Services,
O/o The Postmaster General,
Hyderabad Region, Hyd-1.
3. Senior Superintendent of Post Offices,
Nizamabad Division, Nizamabad.
4. The Postmaster General,
Hyderabad Region,
Hyderabad-500001.

....Respondents

Counsel for the Applicant : Shri S.D.Kulkarni, *Adm. Secy.*

Counsel for the Respondents : Shri E.Madan Mohan Rao, *Adm. Secy.*
CGSC.

CORAM:

HONOURABLE SHRI D.SURYA RAO : MEMBER (JUDICIAL)

HONOURABLE SHRI R.BALASUBRAMAINAN : MEMBER (ADMINISTRATIVE)

(Judgment of the Bench dictated by Hon'ble
Shri D.Surya Rao, Member (J)).

This is an application filed by an Assistant Superintendent of Post Offices questioning the order dated 25-6-1990 rejecting his request for retention as Asst.Suptd., of Post Offices at Nizamabad. The applicant who was working at Nizamabad as Asst. Suptd., has completed his tenure (four years) in this place, *whereafter* *by* *an* order dt.25-6-90 he was transferred to Adilabad.

contd..2.

He made a representation dt.28-5-90 requesting for retention at Nizamabad on sympathetic and humanitarian grounds stating that his wife is working as a lecturer in a Private Women's College, Nizamabad. The other ground raised is that he has two children aged 6 and 9 years respectively studying at Nizamabad. This request of the applicant was rejected by the impugned order dt.25-6-1990. Thereupon the applicant has filed the present application stating that no reasons were assigned by the P.M.G., Hyderabad for not conceding to his representation and for a direction to Respondent No.3 to accommodate him in a vacant post of Asst. Supdt., of Post Offices, Nizamabad (N) Sub-Division.

2. We have heard the learned counsel for the applicant Shri S.D.Kulkarni and Shri E.Madan Mohan Rao, Standing Counsel for the Respondents who was taken notice at the stage of admission on our direction. Shri Madan Mohan opposes the admission of the case stating that there are no legal infirmities in the impugned order of transfer which warrant interference. It is clear from the facts stated above that the applicant has completed his tenure in Nizamabad. A reference is made by the learned counsel for the applicant to the letter issued by the Post Master General, Hyderabad in No.ST/10/2/Y/79 dated 10-9-80.

These instructions lay down that where ever possible, the controlling authority should post the husband and wife at the same station in cases where there is no administrative inconvenience. It is clear that this instruction does not gives a right to a Departmental employee for retention at the same station for more than one tenure. The applicant has already been given the benefit of posting at Nizamabad for one tenure. No legal right has been made out by the counsel for the applicant to show that he should be retained for more than one tenure at the same station. In the circumstances, we find no merits in the application. Accordingly application is dismissed. No order as to costs.

D. Surya Rao
(D.SURYA RAO)
Member (J)

R. Balasubramanian
(R.BALASUBRAMANIAN)
Member (A)

Dated : 11th July, 1990.
Dictated in open court.

[Signature]
DY.REGISTRAR(JUDL)

avl/

To

1. The Secretary, Department of Posts, Dak Bhavan, New Delhi - 1.
2. The Director of Postal Services, O/o. The Postmaster General, Hyderabad Region, Hyderabad - 1.
3. The Sr. Superintendent of Post Offices, Nizamabad Division, Nizamabad.
4. The Postmaster General, Hyderabad Region, Hyderabad 1
5. One copy to Mr. S.D. Kulkarni, Advocate, Neel-Rekha, 99 P&T Colony, Trimulghery, Hyderabad.
6. One copy to Mr. E. Madanmohan Rao, Addl. CGSC. CAT. Hyd Bench.
7. One copy to Mr. Hon'ble R. Balasubramanian, Member (A) CAT. Hyd Bench.
8. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

~~THE HON'BLE MR. B. N. JAYASIMHA:V.C.~~

AND

✓ THE HON'BLE MR. D. SURYA RAO: MEMBER (JUDL.)

AND

~~THE HON'BLE MR. J. NARASIMHAMURTHY:M(J)~~

AND

✓ THE HON'BLE MR. R. BALASUBRAMANIAN:M(A)

DATE : 11/7/90 ✓

ORDER / JUDGMENT

C.A./R.A./C.A./No.

in

T.A.No.

W.P.No.

D.A.No.

537/90 ✓

Admitted and Interim directions Issued.

Allowed.

Dismissed for default.

Dismissed as withdrawn.

Dismissed. ✓

Disposed of with direction.

M.A.ordered/Rejected.

No order as to costs.

✓
Central Administrative Tribunal
DESPATCH
23 JUL 1990
HYDERABAD BENCH.