

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA.933/93

date of decision : 11-8-1993

V. Ramachandra : Applicant

versus

1. The Sr. Supdt. of Post Offices
Chittoor Division
Chittoor Dist.

2. The Director of Postal Service
A.P. Southern Region
Kurnool

3. The Post Master General
A.P. Southern Region
Kurnool

4. Chief Post Master General
A.P. Circle
Hyderabad

5. Sirramulu Reddy
Postal Assistant
Punganur
Chittoor Dist.

: Respondents

Counsel for the applicant : B. Sudhakar Reddy,
Advocate

Counsel for the respondents : N.R. Devaraj, Senior SC
for Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri B. Sudhakar Reddy, learned counsel for the applicant and Sri N.R. Devaraj, learned standing counsel for the respondents.

2. The applicant is working as Postal Assistant at Madanapalli. By impugned proceedings dated 8-6-1993 he

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was transferred to Thamballapalli. The impugned order in regard to transfer of the applicant is challenged in this OA.

3. Neither malafides are alleged nor infraction of Statutory Rules ~~are~~ referred to. It is held by the Supreme Court in JT 1993 Vol.3 SC 678 - Union of India and others versus S.L. Abbas that a transfer order can be challenged only on the grounds of malafides or violative of a Statutory Rules, neither of which exists in this OA.

Hence This OA does not merit consideration. || The impugned order does not specifically direct the applicant to handover charge and to proceed to the new station. It means that on relief by Sri J. Prakash Rao, who is ^{posted} placed in the place of the applicant, the latter had to proceed to the next station.

4. But while rejecting the representation of the applicant for retention, R-1 directed the applicant to proceed to the new station immediately, by order dated 23-6-1993. Therein also it was not specified about the authority to whom the applicant had to handover the charge. Anyhow, in the circumstances we feel that it is just and proper to allow the applicant to continue to work in Madanapalli till he is relieved by Sri J. Prakash Rao, who is posted in the place of the applicant. Ofcourse, if the transfer of Sri J. Prakash Rao, as LSJ PA, Madanapalli, is cancelled and some one ^{else} who is posted in the post of LSJ PA, Madanapalli, then the applicant ^{need not} ~~had to~~ proceed till he is relieved by a one who is posted as LSJ PA, Madanapalli.

5. It is also submitted that the applicant made a representation to the Respondent 2 to Respondent 4, request-

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ing for retention at Madanapalli. Respondent-3 is required to dispose of the same at an early date.

6. OA is ordered accordingly at the admission stage.

No costs.

P.T. Thiruvengadam

(P.T. Thiruvengadam)
Member (Admn.)

V. Neeladri Rao

(V. Neeladri Rao)
Vice Chairman

Dated : August 11, 93
Dictated in the Open Court

sk

823/8/93
Deputy Registrar (Judl.)

Copy to:-

1. The Sr. Suddt., of Post Offices, Chittoor Division, Chittoor District.
2. The Director of Postal Service, A.P. Southern Region, Kurnool.
3. The Post Master General, A.P. Southern Region, Kurnool.
4. Chief Post Master General, A.P. Circle, Hyderabad.
5. One copy to Sri. B. Sudhakar Reddy, advocate, Barkatpura, Hyderabad.
6. One copy to sri. N.R. Devaraj, Sr. CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

3002/93
P.T. Thiruvengadam
7.8.93

O.A. 933/93

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. E. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated: 11/8 - 1993

ORDER/JUDGMENT:

~~M.A/R.A/C.A.No.~~

O.A.No.

T.A.No.

in
933/93.

(W.P.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

Central Administrative Tribunal
DESPATCH
30 AUG 1993
HYDERABAD BENCH.

pvm

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