

19

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.972 of 1993

DATE OF JUDGMENT: 6th September, 1993

BETWEEN:

Mr. P.Ramachandra Reddy

..

Applicant

AND

1. The Chief Postmaster General,
A.P.Circle,
Hyderabad-1.
2. The Postmaster General,
Vijayawada Region,
A.P.Circle,
~~Qxxx~~ Vijayawada.
3. The Director of Postal Services,
Office of the Postmaster General,
Vijayawada Region, A.P.Circle,
Vijayawada.
4. The Superintendent of Post Offices,
Nellore Division,
Nellore.
5. Shri G.Malakondaiah,
Assistant Superintendent of Post Offices (Hqs),
Office of the SSPO,
Ongole Division,
Ongole, A.P.

..

Respondents

HEARD:

COUNSEL FOR THE APPLICANT: Mr. V.Venkateswara Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj, Sr. CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI P.T.THIRUVENGADAM, MEMBER (ADMN.)

JUDGMENT

(As per Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman)

The applicant who is working as Assistant Superintendent
of Post Offices was transferred from Kavali to Ongole as per

contd....

(90)

.. 2 ..

the impugned order dated 6.8.1993 and the same is challenged in this OA.

2. The main contentions for the applicant are, that the Post Master General ordered the transfer as per the impugned proceedings, when he himself ^{was} under the orders of transfer and it is to accommodate the 5th respondent herein. The further contention for the applicant is that as he detected some fraud, there ~~is~~ ^{interest} some vested influence ~~by~~ the concerned authority to transfer him. It is also stated that the said transfer is not in accordance with the guidelines, for it is not by way of public interest.

3. In JT 1993(3) SC 678 (Union of India and others Vs. S.L.Abbas), the Supreme Court held that the Courts/Tribunals can interfere with the orders of transfer if malafides are established or there is violation of statutory rules. The malafides alleged are not specific and they are ^{or} vague. The applicant had not even alleged that there is violation of the statutory rules in passing the impugned order of transfer. Hence, there are no grounds for interference with the order of transfer.

4. But, the applicant submitted a representation dated 10.8.1993 as against the order of the impugned transfer to the Chief Post Master General, A.P.Circle, Hyderabad. We feel that in the circumstances, it is proper to direct the Chief Post Master General to dispose of the said representation without being influenced by the order of dismissal of this OA. Time for consideration of the said representation is two months from the date of receipt of this order.

contd....

2-22

.. 3 ..

5. Subject to the above, the OA is dismissed at the admission stage. No costs. Office has to communicate a copy of this order to the Chief Post Master General, A.P.Circle, Hyderabad.

(Dictated in the open Court).

P. J. [Signature]
(P.T.THIRUVENGADAM)
MEMBER (ADMN.)

[Signature]
(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 6th September, 1993.

vsn

[Signature]
Dy. Registrar (Judl.)

Copy to:-

1. The Chief Postmaster General, A.P.Circle, Hyderabad-1.
2. The Postmaster General, Vijayawada Region, A.P.Circle, Vijayawada.
3. The Director of Postal Services, O/O Post Master General, Vijayawada Region, A.P.Circle, Vijayawada.
4. The Superintendent of Post Offices, Nellore Division, Nellore.
5. One copy to Sri. V.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

P.T. [Signature]
20/9/93

C.C. by
13/9/93 O.A. 972/93

TYPED BY

COMPALED BY

CHECKED BY

APPROVED BY

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:

6/9/-1993

ORDER/JUDGMENT: ✓

M.A./R.A./C.A. No. _____

O.A. No. _____

T.A. No. _____

in

972/93

(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.

pvm

