

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

DA 1534/93.

Dt. of Order: 18-1-94.

P.Nagendraiah
vs.

1. The Union of India, represented by Post Master General, APSR, Kurnool-518 005.
2. Director of Postal Services, Kurnool Region, Kurnool-518 005.
3. The Superintendent of Post Offices, Kurnool Division, Kurnool-518 001.
4. The Sr. Superintendent of Post Offices, Chittoor Division, Chittoor-517 001.
5. Head Post Master, Adoni H.O.-518 301.

...Respondents

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Counsel for the Applicant : Shri P.Rathaiah

Counsel for the Respondents : Shri N.V.Raghava Reddy, CGSC

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CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

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....2.



Judgement

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

applicant and Sri N.V. Raghava Reddy, learned counsel for

2. The transfer of the applicant to Kuppam in Chittoor Division from Adoni in Kurnool Division under Rule 37 of P&T Manual as per proceedings dated 12-8-1993 of R-1 is assailed in this OA. When the same was challenged in OA. 1049/93 (Annexure-3) the same was disposed of by order dated 30-8-1993 with the observation that PMG, Kurnool or an authority officiating for him shall consider the representation of the applicant against order of transfer ~~shall be disposed~~ and till then the status-quo ~~had~~ to be maintained. Thereafter, PMG, Visakhapatnam, who ~~is~~ ^{was} in charge of PMG, Kurnool, disposed the representation by order dated 16-10-93 by holding that there are no grounds to cancel the order of transfer. Then this OA was filed.

3. The learned counsel for the applicant Sri P. Rathaiah, had neither pleaded ~~violation~~ of any statutory rule in issuing order of transfer nor he attributed any malafides to PMG, Visakhapatnam, who disposed his representation. It is only on either or both of the above grounds the order of transfer can be set aside. In the absence of either the order dated 12-8-1993 transferring the applicant to Kuppam, can ~~not~~ be set aside by this tribunal.

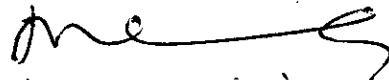
4. But it is stated for the applicant that the transfer of seven of the employees in the Kurnool unit are kept under abeyance pending consideration of the overall situation arisen because of the strike. So, in the circumstances, we feel that it is just and proper to permit the applicant to

X

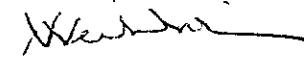
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make representation against order dated 12-8-1993
transferring him to Kuppam, to Chief Post Master-General,
Hyderabad, and if such representation is going to be made
by 7-2-1994, the same had to be disposed of on merits
5. The OA is ordered accordingly at the stage of admis-
sion. No costs.



Member (Admin.)



(N. Neeladri Rao)

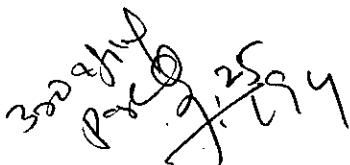
Dated : January 18, 94
Dictated in the Open Court


Deputy Registrar (J)

To

1. The Postmaster General, Union of India,
APSR, Kurnool-5.
2. The Director of Postal Services,
SK Kurnool Region, Kurnool-5.
3. The Superintendent of Post Offices,
Kurnool Division, Kurnool-1.
4. The Sr. Superintendent of Post Offices,
Chittoor Division, Chittoor-1.
5. The Head Post Master, Adoni. A.O.301.
6. One copy to Mr. P. Rathaiah, Advocate, CAT. Hyd.
7. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
8. One copy to Library, CAT. Hyd.
9. One spare copy.


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Post 25/1/94

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

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

AND
THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY

THE HON'BLE MR.R.RANGARAJAN : MEMBER(A)

Dated: 18/1/1994

ORDER/JUDGMENT:

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

in
O.A.No. 1534/93

T.A.No. (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.

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