

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

U.A.NO.793/1997.

Date: 27-6-1997.

Between:

Syed Baleshahé. .. Applicant.

And

1. The Chief Post Master General,  
Ananra Circle,  
Hyderabad. 500 001.

2. Post Master General,  
Vijayawada Region,  
Vijayawada 520 002.

3. Superintendent of Post Offices,  
Machilipatnam Division,  
Machilipatnam. .. Respondents.

Counsel for the applicant: Sri T.P.V. Subbarayudu.

Counsel for the respondents: Sri N.R. Devaraj.

COURT:

HON'BLE SHRI H.RAJENDRA PRASAD, Member (A)

HON'BLE SHRI B.S. JAI PARAMESHWAR, Member (J).

JUDGMENT.

(per Hon'ble Shri H.Rajendra Prasad, Member A) *by*

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Heard Sri T.P.V. Subbarayudu, learned counsel for the applicant, and Sri N.R. Devaraj, learned counsel for the respondents.

2. The applicant has been working in Machilipatnam Town for more than six years. In March, 1997, an advance caution was issued to all those officials in the Division whose rotational transfer had become due or overdue. The name

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(46)

of the applicant figured in the list and he had thus been duly informed that he was likely to be posted out in the rotational transfers prior to the commencement of the ~~new~~ <sup>ensuing</sup> academic year. Thereafter he was posted out to an office (Nidumolu) which is approximately 20 K.Ms., away from his present office of posting.

The applicant questions this order on the following grounds:

- i) Although he was posted from Nimmakuru to Machilipatnam in 1990, he has been working in his present office (Rajupet Town Sub Office in Machilipatnam) for only one year and has not thus completed his post-tenure in the present appointment.
- ii) He has been confronted with many personal problems, like, for example, children's education and his own ill-health.
- iii) Adequate medical facilities and English Medium schools are not available at Nidumolu.
- iv) His family circumstances will suffer dislocation due to the impugned transfer.
- v) There are number of officials who have stayed for longer periods in Machilipatnam Town whereas he has been singled out for a posting.

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: 3 :

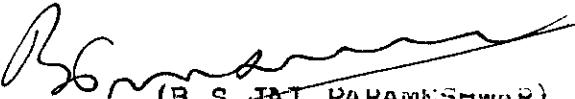
4. The position with regard to the above points would appear to be as under:

- i) Inasmuch as the applicant has been functioning in some post or the other in Machilipatnam town <sup>for</sup> more than six years, his grievance that he had not completed his post-tenure in his present office is not acceptable.
- ii) The difficulties of the kind projected by the applicant shall have to be looked into by the authorities concerned and this Tribunal does not feel called upon - nor does it have the slightest intention - to examine these complaints.
- iii) This too a matter purely for the local administration to look into.  
iv) & v)

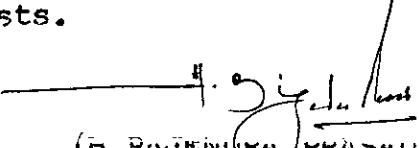
5. It is seen that the official has stayed in the present station on similar grounds and reasons in the past, and at least on one occasion, due to the intervention of this Tribunal. He is also seen to have sought exemption from essential professional training on the ground of sickness. Since the impugned order has been issued as a sequel to prior warning/c<sub>a</sub>ution and the transfer, moreover, has been ordered prior to the commencement of academic year, and as the applicant has been serving in the same station for <sup>a</sup> number of years, he cannot claim any legal right for continuance in a post or station. The deployment of officials is linked both to the Department's needs and the interests of the workers themselves.

It is the legitimate concern and duty of the authorities to consider postings and transfers keeping in view the Departmental requirements and interests of service as well as the requirements and needs of officials, including <sup>all</sup> those who may have been awaiting / postings to stations of their choice or preference, <sup>intended</sup> for example, to the Station/office where the present applicant has been continuing for long time. These are certainly not matters which can be adjudicated by this Tribunal.

6. In the circumstances, we do not find any merit in the application. Accordingly the O.A., is dismissed at the admission stage. No costs.

  
(B.S.JAI PARAMESHWAR)  
MEMBER (J)

27/6/97

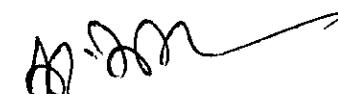
  
(H.RAJENDRA PRASAD)  
MEMBER (A)

Date: 27--6--1997.

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Dictated in open Court.

KSM/  
sss.

  
Deputy Registrar

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O.A. 793/97

To

1. The Chief Post Master General,  
Andhra Circle, Hyderabad-1.
2. The Postmaster General,  
Vijayawada Region,  
Vijayawada-2.
3. The Superintendent of Post Offices,  
Machilipatnam Division,  
Machilipatnam.
4. One copy to Mr.T.P.V.Subbarayudu, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC. CAT.Hyd.
6. One copy to HHRP .M(A) CAT.Hyd
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

p.v.m.

off 16/7/97

I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE  
VICE-CHAIRMAN

and

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

The Hon'ble Mr. B.S. Taiparameswar, M.G.

Dated: 27-6-1997

ORDER/JUDGMENT

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

in

C.A.No.

793/97

T.A.No.

(w.p.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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