

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.757/99

DATE OF ORDER : 19.05.1999

Between :-

K.A.S.Pillai

... Applicant

And

1. Union of India, rep. by its  
Secretary, Dept. of Posts,  
M/o Communications, Dak Bhavan,  
New Delhi-110 001.
2. The Member (Development),  
Postal Services Board,  
Dak Bhavan,  
New Delhi - 110 001.
3. The Chief Engineer,  
Headquarters, Dept. of Posts,  
M/o Communications,  
Dak Bhavan,  
New Delhi - 110 001.
4. The Chief Post Master General,  
AP Circle, Hyderabad-1.
5. The Chief Engineer,  
Telecom Civil Wing, A.P.Zone,  
Koti, Hyderabad-500 095.
6. The Superintending Engineer (Civil),  
Headquarters, Postal, Dept. of Posts,  
Dak Bhavan, New Delhi-110 001.
7. Sri K.Radha Krishna Murthy,  
Asst.Director (Buildings),  
O/o Chief Post Master General,  
AP Circle, Hyderabad-1.

... Respondents

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Counsel for the Applicant : Shri V.Venkateswar Rao

Counsel for the Respondents : Shri P.Phalguna Rao, CGSC

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CORAM:

THE HON'BLE JUSTICE SHRI D.H.NASIR : VICE-CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)  
(Order per Hon'ble Shri R.Rangarajan, Member (A) ). ..2.

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Sri V.Venkateshwar Rao, counsel for the Applicant and Mrs. Aruna for Sri P.Phalguna Rao, Standing Counsel for the Respondents.


2. The applicant in this OA was transferred by the impugned order No.4-2/99-CWP dated 3.5.1999 (Annexure-IV page-15 to the OA) from the post of Assistant Engineer (Civil), P.C.S.D., Tirupathi to A.D.(Bldg.) O/o CPMG, Hyderabad. This transfer order is challenged in this OA.

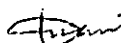
3. The main contention of the applicant in this OA is that the transfer order is issued by the incompetent authority and the competency of the order has been referred to by Respondent No.4 to Respondent No.2 vide D.O.No.ST/PF/KROM dated 6.5.1999 (Annexure-II page-13 to the OA). It appears that no decision has been taken in this connection. The applicant also submitted a detailed representation dated 4.5.1999 addressed to Respondent No.3 for retaining him at Tirupathi. The applicant submits that the tenure should be six years and he has not completed six years and therefore he cannot be transferred. The applicant further urges that after completion of four years field tenure he can be moved to the planning Section for another two years tenure in Tirupathi itself. As the case is still pending for final decision in view of letter dated 6.5.1999, it is proper to direct Respondent No.5 to take a final decision



on the applicant's representation <sup>on receipt of</sup> ~~if received~~ orders from Respondent No.2 and after consulting required authorities. Till such time a reply is given to the applicant, the impugned transfer order dated 3.5.1999 should be kept in abeyance..

4. With the above direction, the OA is disposed of. No costs.

  
(R. RANGARAJAN)  
Member (A)

  
(D.H. NASIR)  
Vice-Chairman

Dated: 19th May, 1999.  
Dictated in Open Court.

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