

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.787 OF 1999.

DATE OF ORDER:27-5-1999.

BETWEEN:

S.Raghuramaiah.

...Applicant

a n d

1. The Superintendent of Post Offices,
Tenali Division, Tenali-522 201.
2. The Postmaster-General,
Vijayawada Region, Vijayawada-520 002.
3. Shri P.Veera Reddy, Superintendent of Post
Offices, Tenali Division, Tenali-522 201.
4. The Chief Postmaster-General,
Andhra Pradesh Circle, Hyderabad-1.

...Respondents

COUNSEL FOR THE APPLICANT :: Mr.T.V.V.S.Murthy

COUNSEL FOR THE RESPONDENTS:: Mr.K.Narahari
Joint Case

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

A N D

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.TVVS.Murthy, learned Counsel for the
Applicant and Mr.K.Narahari, learned Standing Counsel •
for the Respondents.

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2. The applicant herein is a BCR Postal Assistant and he is transferred from Morrispetta Sub Office to Repalle. Vice him one Sri Ch.Janakiramaiah, BCR PA, Tenali, has been posted at Morrispetta Sub Office. These two orders are at Serial Nos.5 and 6 of the impugned Transfer Order bearing No.B.I/II/99-2000, dated:26-4-1999 (Annexure.A-III, page.15 to the OA).

3. This OA is filed challenging the transfer of the applicant from Morrispetta to Repalle.

4. The applicant submits that he has been posted to Morrispetta only few years back and he has not completed his tenure of 4 years there, and hence his transfer at this juncture is against the standing instructions for transfer as he has not completed his tenure period of posting at Morrispetta. The applicant imputes some malafides against Respondent No.3, as he had taken up his case earlier in an alleged corruption case when Mr.P.Veera Reddy was the Superintendent of that Postal Division earlier. The applicant submits that he should not be transferred and he should be retained at Morrispetta in view of the above reasons.

5. It is not known whether his successor Sri Ch.Janaki-ramaiah has been relieved at Tenali or not. If the transfer order has to be stayed, it may be necessary to implead Sri Ch.Janakiramaiah also as he will be one of the affected parties if the applicant is going to be retained at Morrispetta. Sri Ch.Janakiramaiah is not



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impleaded as a party. The applicant has submitted a representation to the Respondent No.2, vide his representation dated:22-5-1999, for retaining him at Morrispetta. It is stated that this representation is till to be disposed of.

6. In view of the facts and circumstances of the case, the following direction is given:-

"Respondent No.2 should dispose of the representation of the applicant in accordance with the law taking due note of the various contentions raised in this OA and in accordance with the rules.

If Sri Ch.Janakiramaiah, is not relieved from Tenali, then the applicant should be allowed to continue as BCR PA, Morrispetta, till his representation is disposed of and then only Sri Ch.Janakiramaiah should be relieved ~~and should be relieved~~ if it is decided to transfer the applicant from Morrispetta to Repalle. In case Sri Ch.Janakiramaiah, had already been relieved then the applicant may ask for leave for the period till the disposal of his representation. If such a leave application is received by the Respondent No.1, the same should be granted to the applicant till such time his representation is disposed of."

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7. The OA is ordered accordingly at the admission stage itself. No costs.

The Registry to send a copy of the OA to the Respondent No.2 alongwith this Order.



(R.RANGARAJAN)

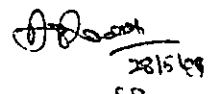
MEMBER (ADMN)



(D.H.NASIR)

VICE CHAIRMAN

DATED: this the 27th day of May, 1999
Dictated to sten in the Open Court


c.o

DSN

cc by 28/5/99

1ST AND 2ND COURT

COPY TO:-

1. HDHND

2. HHRP M(A)

3. HBSJP M(J)

4. D.R.(A)

5. SPARE

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

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

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

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

THE HON'BLE MR. B. S. JAI PARAMESWAR :
MEMBER (J)

ORDER: 27/5/99

ORDER / JUDGEMENT

MA / PA / SP No.

in
CA. No. 782/99

ADMITTED AND INTER
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

O.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED / REJECTED.

NO ORDER AS TO COSTS.

SRR

केंद्रिय प्रशासनिक आयोग
Central Administrative Tribunal
प्रेषण / DESPATCH
31 MAY 1999
हैदराबाद न्यायपीठ
HYDERABAD BENCH

8 (15/1/99) copy
AW a copy of ur
SA to R2
28/5/99