

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 271/95

: Date of order 30.6.95

Udai Kumar Saxena s/o Shri Murari Sharan Saxena resident of  
4/18, Hishan Chand Choudhary Nagar, Ajmer Road, Jaipur.

... Applicant

VERSUS

1. Secretary to Minister of Communication Departmental Post,  
Dara Shewan, New Delhi.
2. The Director, Postal Services, Jaipur Region, Jaipur.
3. Assistant Post Master General (Staff), For Chief Post  
Master General, Rajasthan Circle, Jaipur.
4. The Superintendent of Post Office, Sewaimadhopur.

... Respondents.

CORAM

Hon'ble Mr. O.P. Sharma, Member (Administrative)  
Hon'ble Mr. Rattan Prakash, Member (Judicial)

For the Applicant  
For the Respondents

... Mr. M.B. Sharma  
... ---

O R D E R

PER HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE).

Shri Udai Kumar Saxena has in this application u/s 19 of the Administrative Tribunals Act, 1985, prayed that order dated 31.5.95 (Annexure A-1) by which the order of transfer of the applicant from Sewaimadhopur to Jaipur earlier passed on 23.5.95 was kept in abeyance may be declared illegal and the transfer order dated 23.5.95 and the relieving cum posting order dated 31.5.95 signed on 1.6.95 may be treated as good and accordingly the respondents may be directed to allow the applicant to be posted at Gandhi Nagar Head Post Office, Jaipur, in pursuance of the order dated 23.5.95.

2. The applicant's case is that initially at his request a transfer order dated 23.5.95 (Annexure A-5) was passed by the respondents by which the applicant and several others were transferred from one place to another. By this order, the applicant's transfer was made from Sewaimadhopur to Gandhi Nagar

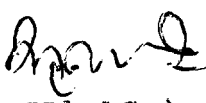
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Head Post Office, Jaipur. Thereafter by order (Annexure A-1) dated 31.5.95, the transfer order (Annexure A-5) was kept in abeyance. Still later, a fresh transfer order Annexure A-7 dated 9.6.95 was passed by which those persons who had earlier been transferred by Annexure A-5 dated 23.5.95 were again transferred. However, the applicant's name was not included in this transfer order. The applicant submitted a representation setting out his personal difficulties due to which he has sought transfer to Jaipur and praying that he should be transferred from Sawaimadhopur to Jaipur. The respondents have so far not taken any decision on the representation of the applicant.

3. We have heard the learned counsel for the applicant and have gone through the records.

4. Instead of pressing this application on merits, the learned counsel for the applicant has prayed that the respondents may be directed to dispose of the representation (Annexure A-2) dated 15.6.95 submitted by him requesting transfer from Sawaimadhopur to Jaipur, on merits taking into account the difficulties and problems set out by him therein. In the circumstances, we direct respondent no. 3, Assistant Post Master General (Staff), Office of the Chief Post Master General, Rajasthan Circle, Jaipur, to take a decision on the representation of the applicant (Annexure A-3) dated 15.6.95 on merits having regard to the circumstances set out therein for which the applicant has sought transfer from Sawaimadhopur to Jaipur, within one month from the date of receipt of a copy of this order. Let a copy of the paper book be sent to respondent alongwith a copy of this order.

5. The CA is disposed of accordingly at the admission stage.

  
(RATTAN PRAKASH)  
MEMBER(J)

  
(O.P. SHARMA)  
MEMBER(A)

AHQ.