

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 95/2003

R.A/C.P No.

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66/15
16.11.17

(SEE RULE -4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI
....

ORDER SHEET

✓ Original Application No : 95 / 2003
Misc. Petition No. _____
Contempt Petition No. _____
Review Application, No. _____

Applicant (s) Smt. Ph. Meena Devi

-Vs-

Respondent (s) Union of India Son.

Advocate for the Applicant (s) Mr. B.P. Mr. B.K. Talukdar

Advocate for the Respondent(s) Mr. D. Borah
CGSC

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form of the <u>the</u> Order of the Tribunal filed in the for <u>posited</u> I.P.O. No. 490320 Dated 06/5/03 <u>Dy. Registrar</u> <u>Steps taken with</u> <u>envelop.</u> <u>Borah</u> <u>21/5/03</u></p>	8.5.2003	<p>Present :</p> <p>The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Mr. S. Biswas, Administrative Member.</p> <p>This is an application under section 19 of the Administrative Tribunals Act, 1985 assailing the action of the respondents in the matter of allotment of quarter.</p> <p>Mr. B.P. Borah, learned Sr. counsel appearing on behalf of the applicant stated and contended that in allotment of quarter the employer is to act justly, fairly and lawfully. The learned counsel also submitted that by order dated 11.4.2002 the competent authority allotted the-</p> <p>Contd/</p>

8.5.2003 official quarter which the applicant is presently occupying. We have perused the order dated 11.4.2002 by which she was allotted the quarter on condition that she would vacate the quarter as and when it would be required by the Post-master, Imphal, H.O. or for any purpose by the office. The order also indicated that the applicant was to occupy the quarter within time specified and take steps for paying bill regularly. She was also directed to submit the occupation report to the authority concerned. Subsequently, by order dated 9.10.2002 the applicant was allotted the Type III, Unit-6 1st Floor quarter. The applicant submitted representation before the authority praying for modification of the order and requested for allotting a quarter at Old Post Colony in place of the Palace Compound to avoid hardship of her and her two young childrens. The applicant thus prayed for modification of the order whereby she was allotted in the Palace Compound. The applicant, thereafter, also pursued the matter and submitted another representation. Instead of passing any order the impugned order dated 25.3.2003 was passed imposing panel rent. The applicant assailed the action of the respondents as arbitrary and discriminatory.

We have heard Mr. B.C.Pathak, learned Addl. C.G.S.C. for the respondents. Admittedly, the discretion is vested on the authority to allot or re-allot quarters. The applicant since made representation before the authority the same can be taken care of by the authority.

8.5.2003

On consideration of all the aspects of the matter, we are of view that ends of justice will be made if a direction is issued to the applicant to submit a fresh representation narrating her grievances before the Director of Postal Services within two weeks from the date of receipt of the order. If such representation is made by the applicant the authority concerned shall consider the same justly, fairly and reasonably.

Mr. B.P. Borah, learned Sr. counsel submitted that the impugned order imposing panel rent vide order dated 25.3.2003 is arbitrary and discriminatory so much so that the applicant is occupying the quarter with the approval of the competent authority. The learned Sr. counsel further assailed the same as unjust and unfair and therefore violative of Article 14 of the Constitution. We are not inclined to pass any order at this stage on the contentions of Mr. Borah, Since we have directed the applicant to submit representation before the authority. It is expected that the authority shall consider the same with empathy and with commiseration and pass an appropriate order with utmost dispatch. Till the completion of the aforesaid exercise the impugned order dated 25.3.2003 shall remain inoperative. The respondents are further directed to allow the applicant to continue in the present quarter which she is occupying during the interregnum.

The application is thus disposed of leaving it open to the applicant to move the Tribunal if such occasion arises. No order as to costs.

S. Dinesh
Member


Vice-Chairman

mb

9/5/03

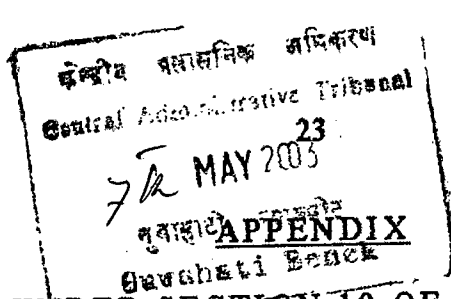
Notice issued to R-3 & S
Through Speed post by the
cost of the applicant.

9/5/03.

20.5.2003

Copy of the order
has been sent to the
ofsec. for issuing
the line to the applicant
as well as to the Addl.
C.G.S.C.





APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL ACT, 1985.

Filed by the petitioner
through
Dibyajyoti Borah, Advocate
7.5.2003

Title of the Case: Original Application No. 95/2003.

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M. Meena Devi
Signature of the Applicant

For use in the Tribunal's office

Date of filing : -

Or

Date of receipt by post.

Registration No.

Signature of the Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:
GAUHATI BENCH AT GUWAHATI.

ORIGINAL APPLICATION NO. 95 /2003

Smti. Th. Meena Devi,
Postal Assistant, SBCO,
Imphal, Head Post- Office, Manipur.
.... Applicant.

- Versus -

1. The Union of India, through the
Secretary to the Govt. of India,
Ministry of Communications,
Department of Posts, New Delhi.
2. Director of Posts, New Delhi.
3. The Chief Post Master General, North
Eastern Circle, Shillong.
4. The Post Master General, North Eastern
Circle, Shillong - 793001.
5. The Director of Postal Services,
Manipur, Imphal - 795001.
6. The Postmaster, Imphal, Head Office,
Manipur.

..... Respondents.

1. PARTICULARS OF THE ORDER AGAINST WHICH
THE APPLICATION IS MADE: -

- A) Order vide No. D4/HAC/IP dated 9.10.02 in respect of the applicant passed by the Director, Postal Services, Manipur, Imphal.
- B) Order vide No. D3-4/IP-QRT/Allot/Pt.III (A) dated 24.2.03 passed by the Director Postal Service, Manipur, Imphal.
- C) Order vide No. D3-4/IP-QRT/Allot/Pt.III(A) dated 25.3.2003 passed by the Director of Postal Services, Manipur, Imphal- 795001.
- D) Non allotting of the vacant type -II quarter in old Postal Colony, Imphal.

2. JURISDICTION OF THE TRIBUNAL:-

The applicant declares that the application is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION:

The applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE:-

MOST RESPECTFULLY SHEWETH:

- 4(i) That, the applicant who is now serving as Postal Assistant (SBCO) at Imphal was transferred from Nagaland, Kohima to the Manipur vide Circle Office Memo No. Staff/ 584/SBCO/RT/Pt- II dated 5-3-2002. After the issuance of the said transfer order

the applicant submitted a representation on 13.3.2002 to the Director of Postal Services, Imphal, Manipur requesting for allotting a Type - II Departmental Quarter in the Old Postal Colony. In the said representation the applicant reflected the cause of inconveniences to be faced by her at Imphal and the genuine reason justifying her prayer for allotment of quarter in old post office colony. The said representation was forwarded by the Superintendent of Post Office (H.Q) for Director of Postal Services, Nagaland, Kohima vide his letter dated 14-3-2002. It may be pertinent to mention herein that as per relevant rules the applicant is entitled for a type -II or type -III quarter.

A copy of the said representation dated 13.3.2002 & letter dated 14.3.2002 are annexed herewith as ANNEXURES- A/1 & A/2 respectively.

4(ii) That the applicant is a mother of two small kids aged about 3(three) years and 1(one) year respectively and they are fully dependent on the applicant. Hence the applicant has prayed for allotting a type -II quarter in the old Postal Colony,

Imphal which is close to the head Post Office ,
 Imphal where she has joined on transfer from
 Kohima, so that during lunch/Tea time she can take
 care of her children ^{and} feed them, otherwise the
 minor children will have to suffer badly.

4(iii) That applicant thereafter submitted a
 representation on 8-4-2002 to the Director of Postal
 Services, Imphal, Manipur requesting for allotting a
 type - II Quarter in old post office colony, which
 was vacated by one Shri Kh. Jiban Singh. In the said
 application the applicant also reflected about
 inconveniences and grievances faced by her after
 transferring from Kohima to Imphal, and further
 requested to allot the said vacant quarter.

A copy of the said representation
 dated 8.4.2002 is annexed
 herewith as ANNEXURE - A/3.

4(iv) That, the then Director of Postal Services,
 Imphal, Manipur after being satisfied about the
 compelling circumstances of the applicant allotted
 the vacant (Bye- Post Quarter of Post Master,
 Imphal), at Old Postal Colony vide his order dated
 11.04.02 on the condition that the applicant will

vacate the quarter as soon as it is required by the post Master, Imphal Head Office or for any purpose by the office of the Director ,Postal Services, Manipur, Imphal.

A copy of the said order dated 11.4.02 is annexed herewith as ANNEXURE - A/4.

4(v) That, after the issuance of the said order dated 11.04.2002 (Annexure - A/4), allotting the applicant the bye quarter Type - III, the applicant submitted a representation on 31-05-2002 to the Director Postal Services, Imphal, Manipur requesting for allotting a Type - II Quarter in the old post office Colony behind H.P.O.(Head Post Office) in place of the said Type -III quarter stating inter alia that the said allotment order is a temporary arrangement. She further requested to issue necessary orders allotting the said type - II quarter at an early date, which was lying vacant and no allotment order was issued to any one.

A copy of the said representation dated 31.5.2002 is annexed herewith as ANNEXURE - A/5.

4(vi) That surprisingly enough, by keeping a type -II quarter vacant in old post office colony since, April'02 the Director, Postal Services, Imphal, Manipur took a contrary decision and issued an order on 9.10.2002 whereby the applicant was allotted a type -III Unit 6 first floor of the quarter at Palace Compound, Imphal, which was not convenient to the applicant considering the compelling condition about her two small children.

A copy of the said order dated 9.10.02 is annexed herewith as ANNEXURE -A/6.

4(vii) That, the applicant again submitted an application on 10.10.2002 to the Director Postal Services, Manipur requesting for allotting a quarter of Old Postal Colony in place of the Palace Compound. In the said representation the applicant again reflected/highlighted all the facts and circumstances of her grievances by stating that she is living with 2(two) small kids of three years and one year respectively and she has to take care of the small kids all through the working hour. She further requested to allot the type-II Unit quarter in Old

Postal Colony behind H.P.O. by issuing necessary order at an early date, which was still kept vacant.

A copy of the said application dated 10.10.2002 is annexed herewith as ANNEXURE -A/7.

4(viii) That, to the utter shock and surprise of the applicant, the Director Postal Services, Imphal without considering the request made by the applicant passed an order on 24.02.2003 in respect of the bye post quarter in Old Postal Colony which is under occupation of the applicant and the same was allotted to one Shri M.C. Das, Deputy Superintendent of Post Office, Imphal with immediate effect. The said order further stated that the said incumbent shall occupy the quarter within seven days.

A copy of the said order dated 24.2.2003 is annexed herewith as ANNEXURE-A/8.

4(ix) That, being aggrieved by the said order dated 24.2.2003 (Annexure -A/8) the applicant preferred an appeal before the Post Master General, NE Circle, Shillong on 26.2.03 through proper channel wherein the applicant again highlighted all the facts and

circumstances of her grievances and also inhuman acts done by the concerned authorities i.e. the Directorate of Postal Services, Imphal, Manipur by allotting quarter at Palace Compound and also allotting the quarter which is in her occupation to other incumbents. The applicant further requested in the said appeal to direct the concerned authority to allot a type -II quarter which is still lying vacant at old Postal Colony since the month of April, 2002. The said appeal is not yet disposed of till date and still pending.

A copy of the said appeal dated 26.2.03 is annexed herewith as ANNEXURE-A/9

4(x) That , the Director Postal Services, Imphal on receipt of appeal to be forwarded to the post Master General, Shillong, called the applicant in his chamber and warned personally to vacate the quarter immediately or to face dire consequence etc. Again immediately and simultaneously wrote a letter on 28-02-2003 to the applicant regarding the vacating of the said quarter which is in possession of the applicant by 1st March, 2003 positively. The said letter further directed/ stated that if the applicant

fails to vacate the said quarter within the stipulated period the Department will take the possession of the quarter on 01-03-2003 by removing all the articles belonging to her without further notice and the Department will not be held responsible for the loss of any property of the applicant.

A copy of the said letter dated 28.2.03 is annexed herewith as ANNEXURE - A/10

4(xi) That, thereafter due to threat given by the Director concerned the applicant with fearful mind has submitted reminders dated 12-03-03 and 25-03-03 to the to the Post Master General, NE Circle, Shillong to consider her case sympathetically and to cause allotment of vacant type - II -quarter in old Postal Colony in which she can see the welfare and safety of her 2(two) small children of 3(three) years and one year old who lives on breast sucking only. If her quarter is shifted from the Old Postal Colony to Palace Compound in view of the impugned orders (Annexure - A/6 & A/8) she will suffer from irreparable losses and injuries that cannot be compensated in any other terms and the safety of the innocent children of the applicant will further be

jeopardized. The applicant craves leave of this Hon'ble Tribunal to refer to and rely upon the said reminders dated 12.3.2003 and 25.3.03 at the time of hearing of this case.

4(xii) That, the applicant begs to state that besides the vacant quarter, vacated by Kh. Jiban Singh, two more type -II quarters are engaged other wise and can be allotted to the applicant by making necessary arrangement in the Old Post Office Colony, Imphal so that the applicant can look after her minor children properly.

4(xiii) That, surprisingly enough, without any consideration and justification the Director of Postal Services, Imphal has passed an order of imposing penalty of penal recovery of the rent at commercial rate and has fixed up. Rs. 6,355/- per month to be recovered from the pay of the applicant giving date of effect back dated i.e. 02.03.03 without waiting for decision of appeal dated 26.02.03 preferred by applicant to the Higher Authority i.e. (to the Post Master General, Shillong).

A copy of the said impugned order dated 25.3.2003 is annexed hereto and marked as ANNEXURE-A/11.

4(xiv) That the applicant states that thereafter on 23.3.03 she filed another appeal before the Post Master General ,NE Circle, Shillong for taking necessary action for allotment of quarter to the applicant in old Post Office Colony on humanitarian ground and in the said appeal the applicant has stated the entire facts and circumstances of her case and praying for staying the order of penal recovery of Rs. 6,355/- Per Month which is Rs. 739/- more than the total emolument drawn by the applicant and to dispose of the appeal dated 26.2.03 sympathetically so that the vacant quarter in the old Post Office Colony is allotted to the applicant to save the life of her minor children. The advance copy of the said appeal was sent to the Chief Post Master General, NE Circle, Shillong also. Till date the said appeals dated 26.2.03 and 28.3.03 are pending.

A copy of the said appeal dated 28.3.03 is annexed hereto and marked as ANNEXURE-A/12.

4(xv) That the applicant states that the Director Postal Services, Manipur issued a letter to the applicant vide No. D3-4/IP-QRT/Allot/Pt.III(A) dated 07.04.03 whereby he has informed that the applicant has been allotted type - III-6, Postal Colony, Palace Compound vide office letter dated 9.10.02 and the applicant was given time upto 30.4.03 to vacate the Post Master's quarter on the personal appeal made by the applicant to the Chief Post Master General, NE Circle, damaged rent upto 30.4.03 would not be charged and was waived.

A copy of the letter dated 7.4.03
is annexed hereto and marked as
ANNEXURE - A/13.

4(xvi) That the applicant thereafter on 21.4.03 submitted a representation before the Director of Postal Services, Imphal stating her problems once again and prayed to allot her either the vacant quarter or any other accommodation in old Post Office Colony to provide relief to her children who only 3 and 1 years old respectively. A copy of the representation dated 21.4.03 was sent to the Post Master General, NE Circle, Shillong requesting him

to intervene in the matter and cause allotment of type-II quarter which is lying vacant since April'2002.

A copy of the said representation dated 21.4.03 is annexed hereto and marked as ANNEXURE A/14.

4(xvii) That the applicant states that at present she is occupying the type-III bye- Post quarter of Post Master, Imphal which is close to the Head Post Office, Imphal where the applicant is working and one type-II quarter is lying vacant in the old Postal Colony ,Imphal since April'2002 and the applicant is earnestly requesting the authority to allot the said quarter to her so that she can take care and look after her two minor children aged about 3 and 1 years respectively. But the Director ,Postal Services, Imphal has allotted one type -III Unit 6,1st floor at Palace Compound , Imphal which is situated at the distance of more than 2(two) Km. from Head Post Office, Imphal and if the applicant is forced to go to the said type-III quarter at Palace Compound , she will suffer irreparable loss and injury as she would not be able to take care of her small children during the office hours which will be dangerous to the health and safety of the said two children of the applicant.

4(xviii) That the applicant states that from the facts and circumstances of the case as stated above, it is apparently clear that the actions of the Director Postal Services, Manipur in allotting type - III, Unit 6, 1st floor at Palace Compound, Imphal to the applicant, charging penal rent of Rs. 6,355/- Per month from the applicant for occupying the Post Master's quarter and not allotting the type -II quarter lying vacant since April'2002 at Old Post Office Colony, Imphal though the applicant is entitled for the same are illegal, improper, unjust, unreasonable, arbitrary, vitiated by bias and malafide. The applicant further states that it is a fit case wherein your Lordships' may be pleased to set aside and quashed the impugn order dated 9.10.02 in respect of the applicant, order dated 24.2.03 and order dated 25.3.03 passed by the Director Postal Services, Imphal and direct the respondents to allot type-II quarter lying vacant in Old Post Office Colony, Imphal considering the plight of the two small children of the applicant.

4(xix) That the applicant states that at present the applicant draws an amount of Rs. 5,616/- as her monthly salary after normal deduction, but the Director, Postal Service, Imphal has imposed penal rent of Rs. 6,355/- per month from the Applicant which is Rs. 739/- above her

drawing salary. The balance of convenience is in favour of the applicant. Pending disposal of this application your Lordship's may be pleased to stay the said orders dated 9.10.02 in respect of the applicant and order dated 25.3.03 passed by the Director Postal Service, Manipur and direct the respondents to allot the type -II quarter lying vacant at Old Post Office Colony to the applicant. And if the aforesaid interim order as prayed for is not passed the applicant will suffer irreparable loss and injury which cannot be compensated by any other means and the whole application shall become infructuous.

5. GROUND FOR RELIEF WITH LEGAL PROVISION:

- A. For that the applicant is entitled to type -II or type -III quarter and at present one type -II quarter is lying vacant since April'2002 in Old Post Office Colony, Imphal. The applicant has been earnestly requesting the Director of Postal Services, Imphal to allot the said type-II quarter in the Old Post Office Colony so that she can take care and look after her two small kids aged about 3 and 1 year respectively. But the Director of Postal Services, Imphal has allotted a type -III, Unit -6, 1st floor quarter in Palace Compound which is more than 2 Km. from the Head Post Office, Imphal without considering the

compelling circumstances of the applicant. And as such, the said action of the Director of Postal Services, Imphal in allotting type - III, Unit- 6 quarter at Palace Compound instead of type -II quarter which is lying vacant since April, 02 at the Old Post Office Colony, Imphal is out and out illegal, unjust, improper, unreasonable, vitiated by bias and malafide and arbitrary.

- B. For that the applicant is a mother of two small kids aged about 3 and 1 years respectively who are fully dependent on her and hence she has been praying for allotting the type- II quarter at the Old Post Office Colony which is lying vacant since April, 2002 so that she can take proper care of her children during day time also. The applicant draws salary of an amount of Rs. 5616/- per month after normal deduction, but the Director of Postal Services, Imphal has imposed a penal rent of Rs. 6355/- per month on the applicant for occupying the Post Master's quarter which is Rs. 739/- above her drawing salary . If the applicant is forced to pay the aforesaid penal rent , she will suffer irreparable loss and injury and as such the said order dated 25.3.2003 passed by the Director ,Postal Services, Imphal is bad in law and liable to be set aside and quashed.

- C. For that as Postal Assistant the applicant is entitled for type -III quarters and hence she has prayed for allotting type- II quarter lying vacant at the Old Post Office Colony, Imphal for the only reason that she would be able to look after her two small children during day time also. The Director Postal Services , Imphal could have easily allotted the said vacant type-II quarter to the applicant considering the plight of her small children. But the Director Postal Services without any valid reason has allotted a type-III, Unit -6, 1st floor quarter at Palace Compound, Imphal to the applicant which is more than 2 Km. away from the Head Post Office where she is presently working and has been insisting the applicant to occupy the said type -III quarter and for not doing so the applicant has been penalised with penal rent of Rs. 6355/- per month for not vacating the Post Master's quarter without any valid reason. As such, the said impugned orders dated 9.10.02 in respect of the applicant and order dated 25.3.03 are liable to be set aside and quashed.
- D. For that inspite of repeated request from the applicant to allot her type -II quarter lying vacant since April, 2002 at Old Post Office Colony, Imphal

as per her entitlement and considering well being of her two small children, the Director Postal Services, Imphal as allotted a type-III, Unit - 6, 1st floor quarter at Palace Compound to the applicant vide order dated 09.10.02 instead of the said vacant type-II quarter at Old Post Office Colony in a most inhuman and arbitrary manner and thereafter he has imposed penal rent of Rs. 6,355/- per month on the applicant w.e.f. 02.03.2003 for occupying the Post Master's quarter. As such the said orders dated 09.10.02 in respect of the applicant and dated 25.3.03 passed by the Director of Postal Services, Imphal are liable to be set aside and quashed.

6. DETAILS OF THE REMEDIES EXHAUSTED :

The applicant declares that she has availed all the remedies available to her.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

The applicant further declare that this matter was not filed earlier and no application has been filed before any Bench of the Tribunal, as such, at present no application is pending before any Tribunal or Court of Law.

8. RELIEFS SOUGHT:

In view of the facts mentioned in paragraph 4 and grounds mentioned in paragraph 5 above, the applicant prays for the following reliefs :

- A) To set aside and quashed the Order vide No. D4/HAC/IP dated 09.10.02 in respect of the applicant passed by the Director, Postal Services, Manipur, Imphal.
- B) To set aside and quash the Order vide No. D3-4/IP-QRT/Allot/Pt.III (A) dated 24.2.03 passed by the Director, Postal Service, Manipur, Imphal.
- C) To set aside and quash the Order vide No. D3-4/IP-QRT/Allot/Pt.III(A) dated 25.3.2003 passed by the Director of Postal Services, Manipur, Imphal- 795001.
- D) To direct the respondents to allot type- II quarter in Old Post Office Colony which is lying vacant since April, 2002.
- E) The cost of the case.
- F) Any other relief to which the applicant is entitled under the law.

9. INTERIM ORDER, IF ANY, PRAYED FOR :

Pending final decision on the application, the applicant humbly prays for following interim order:

- (i) To stay the Order vide No. D4/HAC/IP dated 09.10.02 in respect of the applicant passed by the Director, Postal Services, Manipur, Imphal.
- (ii) To stay the Order vide No. D3-4/IP-QRT/Allot/Pt.III (A) dated 24.2.03 passed by the Director Postal Service, Manipur, Imphal.
- (iii) To stay the Order vide No. D3-4/IP-QRT/Allot/Pt.III(A) dated 25.3.2003 passed by the Director of Postal Services, Manipur, Imphal- 795001.
- (iv) To direct the respondents to maintain status-quo in respect of occupation of the Post Master's quarter at the Old Post Office Colony, Imphal by the applicant.
- (v) To direct the respondents to allow the applicant to occupy the type- II vacant quarter at the Old Post Office Colony, Imphal.

10. PARTICULARS OF THE POSTAL ORDER IN
RESPECT OF THE APPLICATION :

- i) No. of Indian Postal Order - 8 G 490320
- ii) Name of the issuing Post Office - GPO
- iii) Date of issue of Postal Order - 6.5.2003
- iv) Post Office at which payable -
Guwahati Head Post Office.

10. LIST OF ENCLOSURES:

As per Index

VERIFICATION

I, Smti. Th. Meena Devi, aged about 30 years, Wife of Sri T Prio Kumar Singh, by profession - Service a resident of Old Postal Colony, Imphal, P.S -& P.O - Imphal, Manipur do hereby verify that the contents of paragraphs 4 (ii), 4(iii), 4(v), 4(vii), 4(ix), 4(x), 4(xi), 4(xiv), 4(xvi), 4(xvii), 4(xviii) & 4(xix) are true to my knowledge and those made in paragraphs 4(i), 4(iv), 4(vi), 4(viii), 4(xii), 4(xiii) and 4(xv) being matters of record are true to my information derived therefrom and the rest are my humble submissions made before this Hon'ble Tribunal and that I have not suppressed any material fact.

Th. Meena Devi

Signature of the Applicant

Date :

14.

THE DIRECTOR OF POSTAL SERVICES,
CAPITAL, -795 001, MANIPUR DIVISION.

SUB: REQUEST FOR ALLOTMENT OF TYPE II DEPARTMENTAL QUARTER IN
THE OLD POSTAL COLONY AT IMPHAL.

DEPARTMENT OF POSTS : INDIA
OFFICE OF THE DIRECTOR OF POSTAL SERVICES
NAGALAND : KOHIMA -797 001

No. D-2/Bldg/Misc-III

Dated at Kohima the 14-03-2002

To,

The Director of Postal Services,
Manipur, Imphal-785 001.

Sub:-

REQUEST FOR ALLOTMENT OF T-11 QUARTERS IN THE OLD POSTAL
COLONY AT IMPHAL

An application received from Smt. Th. Meena Devi, PA/SBCO, Kohima HO on the above mentioned subject is enclosed herewith in original for further necessary disposal at your end.

Encl:- a.a.

S.P.1-

(P.Chakraborty)
Supdt of Post Offices (Hq)
For Director of Postal Services
Nagaland, Kohima-797001

Copy to:-

1. Smt. Th. Meena Devi, PA/SBCO, Kohima HO-797 001, for information.



(P.Chakraborty)
Supdt of Post Offices (Hq)
For Director of Postal Services
Nagaland, Kohima-797001

*Certified to be
true copy
Advocate*

EXHIBITURE

To

The Director of Postal Services
Manipur, Imphal - 795001

Sub : Humble prayer for allotment of any accomodation in old post office colony.

Sir,

Respectfully I beg to state that as per the order of chief post master general, Shillong I was transfered to Imphal H.O. and accordingly I joined at Imphal on 4/4/02. In this connection, I beg to say further that I have two small kids aged 3 years & 1 years respectively. After my coming to Manipur I have acquired a rented house in Sagolband area which is far away from post office. During office hours I am not in position to see my kids and feed them at all. In this way their life has become insecure. With this consideration, I had already submitted my humble application along with prescribed praforma through DPS Kohima.

Sir, now I find that one quarter vacated by Shri Kh. Jiban Singh has been allotted to Group-'D' and as such there is no other vacate quarter. But the quarter meant for postmaster is lying vacant for long time and is learnt that the post master is not in need to occupied the quarter immediately.

Hence, it will be a great help if your good-self be consider my case on humanitarian ground and allow me to occupied the quarter on payment of admissible rent and also on the condition that I shall vacate the same immediately as soon as it will be required either by postmaster or for any purpose.

Yours faithfully,

Th. Meena Devi
(Th. Meena Devi)

PA/SBCo

Imphal H.P.O

Dated *6/7/02*

*Certified to be
true copy
Advocate*

DEPARTMENT OF POSTS, INDIA

Director, Postal Services
Manipur State,
Imphal - 795 001

No.D4/HAC/IP

Date. 11.04.02.

As approved by Director Postal Services, Manipur, Imphal the Staff quarter type -III (By-post quarter of Postmaster, Imphal) at old postal colony, Imphal which, not occupied by the Postmaster, Imphal H.O. is allotted to Smt. Th. Meena Devi, P.A. SBCO/Imphal with immediate effect, on the condition that she will vacate the quarter as soon as it will required by the Postmaster, Imphal H.O. or for any purpose by this office.

The official will have to occupy the quarter within 7 (seven) days and record the electric meter reading at the time of occupation and electric bills are to be paid regularly by her personally. She is directed to submit the occupation report to this office copy endorsing to Postmaster, Imphal H.O.

(N.C. Halder)
Supdt. of Post Offices

Copy to:- 1. The Postmaster, Imphal H.O. for information and necessary action.

2. Smt. Th. Meena Devi, P.A. SBCO/Imphal H.O.
3. O/C.

(N.C. Halder)
Supdt. of Post Offices

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Advocate

3

To,

The Director Postal Services
Manipur-Imphal

Sub :- Humble prayer for allotment of
Type-II quarter in old post office
colony behind H.P.O

Ref :- Your letter no 94/ HAC/1P dated 21-05-02

Sir,

Most respectfully I beg to state that I have from Jiribam and at present living with two small kids aged about 3 years and one year respectively. Before coming to Imphal I was posted at Jolima and on arrival here I faced tremendous difficulties in securing accommodation. But in the mean while the then Director was kind enough to allow me to remain in the By post- Postmaster quarter vide his esteemed memo no 94/HAC/1P dated 11-01-02 temporarily.

Sir, since the above arrangement is purely temporary and in the mean time two type-II quarters under the now under the occupation of M. Manab P.A. Imphal H.O. have occupied by the night guard of Divisional office are likely to vacated very soon.

Sir, in this connection I am submitting herewith an application on the prescribed proforma with prayer to kindly extend your generous hands for allotment of one quarter preferably which is now occupied by the night guard of Divisional office

Yours faithfully

Th. Manab P.A.
(Th. Manab P.A.)
P.O. HACO Imphal
H.O.

21-05-02

31-5-02

Certified to be
true copy
Manab, Advocate

Department of Post, India.
Office of the Director Postal Services, Manipur, Imphal.
795001.

No. D4/HAC/IP.

Dated at Imphal, the 09.10.02.

The undermentioned staff quarters at palace complex Imphal are allotted to the following officials.

Sl. No.	Type of quarter.	Name of official.
01.	Type-III Unit-1 Ground Floor.	Sri L. Giridhon Singh P.A. Imphal H.O.
02.	Type-III Unit-3 Ground floor(New building)	Sri D.C. Brahma, C.I. O/o the D/S, Imphal.
03.	Type-III Unit-4 Ground floor.	Sri John Wangsol; P.A. Imphal H.O.
04.	Type-III Unit-5 1st. floor.	H. Budhachandra Singh P.A. Imphal H.O.
05.	Type-III Unit-6 1st. floor.	Smt. Th. Meena Devi. PA(SBCO), Imphal.
06.	Type-III Unit-7 2nd. floor.	Smt. Nengpilam Kipso P.A., Imphal H.O.
07.	Type-II Unit-1.	Smt. Thangkhonem Vai P.A. Imphal H.O.
08.	Type-II Unit-8	Smt. Th. Lilabati Devi P.A. Imphal H.O.

The officials will have to occupy their respective quarter within 7(seven) days from the date of allotment. If no occupation report is received within the scheduled time allotment will be cancelled without any further notice. The officials will have to pay prescribed taxes including water tax/electricity tax etc., if any.

Sd/-
(R.K.B. SINGH)
Director Postal Service
Manipur, Imphal-795001.

Copy to :-

1. The Postmaster, Imphal H.O. for information and n/action.
- 2-8. The officials concerned for information or n/action.
9. Spare.

*Certified to be true copy
Advocate*

(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

Smt. Meena Devi, PA (SBCO), Imphal

To,
The Director Postal services
Manipur- Imphal

Sub :- Allotment of quarter in palace compound
postal colony.

Ref :- Your Memo no D4/ HAC/1P dated 09-10-02

Respected sir,

XXXXXXXXXXXX

Respectfully I beg to address
this humble application not only as Director of Postal
services, but as also a guardian and head of entire
postal family of Manipur.

Sir, my compelling circumstances
I had already lamented before the earlier Director when
I was facing tremendous inconveniences and in-security in
a private rented house in Kwakeithel Bazar after coming
from Kohima on transfer with two small kids of 3 years
and 1 year respectively. After being convinced with my
genuine problems I was very sympathetically allowed to
occupy the Post master quarter which was lying vacant
and there was no likelihood of its requirement by the
post Master.

Sir, when the notification for
submission of application for allotment of quarters was
made I had very plainly narrated my compelling
circumstances mentioning the following facts -----

1. That I am alone here at Imphal with two small kids
of 3 years and 1 year old respectively and in case if
my humble prayer for allotment of one unit of quarter
in old postal colony behind H.P.O is not considered I
shall not be able to take care of small kids and in my
long absence any unfortunate incident may take place.

2. That sir as you know that breast feeding of small
child of 1 year is must at the certain interval and
without that the child can not survive. But sir in case
I am not favoured by your good self by allotting a
quarter in old colony, the fate of my children will
at great risk.

3. That sir my husband is posted in Nagaland and thus
alone I face the problems of my family.

4. That sir, with due apology I beg to mention that
at present, one unit of quarter allotted to security
men and other one converted as store room, still one
unit of quarter is lying vacant and its allotment to
me by your honour would be not be a great help but will
be the boon for my small kids.

In the midst of above problems
I requested your goodself to kindly extend your generous
hand and allot the vacant quarter of old colony in
stead of palace compound, or allow me to continue in the
post Master quarter as at present

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of original*

Department of Post:India.
Office of the Director Postal Services:Manipur:Imphal:
795001.

No. D3-4/IP-ART/Alot/Pt.III(A). Dated at Imphal, the 24.02.03

The By post quarter of Postmaster at old postal colony, Imphal is allotted to Sri M.C. Das, Dy. Supdt. of Post offices, Imphal with immediate effect.

The officer will have to occupy the quarter within 7(seven) days and record the electric meter reading at the time of occupation and electric bills are to be paid regularly by him personally when electricity department submit bill. He will pay all prescribed water-tax etc. He is Requested to submit occupation report to this office copy endorsing to Postmaster, Imphal H.O.

Sd/—

(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

Copy to :-

1. The Postmaster, Imphal H.O. for information and necessary action.
2. Sri M.C. Das, Dy. Supdt. of Post offices, Imphal for information and n/action to occupy the quarter within prescribed period.
3. Smt. Th. Meena Devi, P.A.(SBCO), Imphal. She will please submit occupation report of Type-III Unit -6 1st. floor quarter at Palace compound, Imphal within 7 days of receipt of this letter.

Vide This office letter no. Du/11AC/1P/220.09/10/02

(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

25/2/03

Certified to be
true copy
P. B. Singh, Advocate

To:

Shri T.P. Selvam

Post Master General,

N.E. Circle, Shillong - 793001.

(Through proper channel)

Subject:- Request with folded hands for kind intervention on humanitarian ground in respect of prejudiced action of DPS, Imphal in making allotment of Departmental Quarter at Imphal.

Most respected Sir,

With high regards and humble submission I beg to lay the following few lines for your kind information and immediate intervention to save me from undue inconvenience and hardship imposed on me with prejudiced intention by DPS, Imphal.

1. That Sir, I am a femal official working as P.A. (SBCO) and had joined at Imphal on 4 - 4- 02 after transfer from Kohima H.O. (Nagaland).
2. That Sir, before my relief from Kohima I submitted one humble prayer application to DPS, Imphal for allotment of one Type II quarter in old postal colony behind H.O.P.S building which was forwarded by DPS, Nagaland vide his letter No. D - 2 / Bldg / Misc - III dated at Kohima 14 - 3 - 02 .
3. That Sir, I belong to a village from Jiribam which is about 230 Kms away from Imphal. I am the mother of 2 (Two) small children aged about 3 yrs and 1 year respectively and my children fully depernd on me. The younger child is of about 1 year age lives on breast feeding and thus my personal care of this child is absolutely necessary at certian intervals to keep him alive and only with this intention and compelling cirucmstances. I prayed to DPS, Imphal prior to my arrival from Kohima to allot quarter in old postal colony behind H.P.O.S building.
4. That Sir, unfortunately at that moment on my arrival from Kohima no Departmental Quarter was vacant in old postal colony at Imphal and for that I took shelter in a rented house. But due to the above obvious reason my stay in rented house became impossible and finding no alternative I personally fall on the legs of previous DPS, Shri G. Ninan and apraised him with my problems. He was kind enough to consider my prayer and immediately allotted the by post quarter of Post Master, Imphal which was lying vacant. He further assured that on humanitarian ground he will allot any quarter in old post office colony as soon as the quarter is vacated. The copy of my application submitted through DPS, Kohima

contd. 2

Certified to be true copy
D. Anand, Advocate

and application submitted to Imphal along with allotment order bearing No. D - 4 / HAC/ IP - dated 11-4-02 are enclosed marked "a", "b" and "c".

That Sir, there after one unit of Type II quarter was vacated due to transfer of one Mohamad Manab Sheik and I was expecting allotment of the aforesaid quarter to me for permanent solution of my problem until I complete my tenure and transfer else where. But ignoring the justice and my compelling problem the said quarter was converted into store room of Imphal H.O. and old records were dumped inside it.

That Sir, There after one more unit of Type -II quarter which was in occupation of Shri N.C. Halder, Supt. of P.O.S was vacated due to his transfer from Imphal and I was very much hopeful of getting a merciful allotment order from DPS, Imphal. But unfortunately my case was again ignored by him and he instead of allotting to me allowed the sepoy of Manipur Rifles whose services were provided for the security of previous DPS. These Manipur Rifle men were earlier living in lower portion of I.B. I don't know how far it was justified to allot a family departmental quarter to security personal.

5. That Sir, One more Type - II quarter which was in occupation of Shri. Ksh. Jiban Singh, was vacated in April' 2002 due to his dismissal from service and the same quarter is still lying vacant since April' 2002.

In this regard, I personally submitted an application to DPS, Imphal on 10 - 10 - 2002 to allot the said vacant quarter to me so that I may be able to look after my small son of 1 year age from H.P.O as an when necessary but neither the said quarter was allotted to me nor any communication regarding consideration of my prayer was conveyed. The affore said quarter is still vacant for allotment. A copy of aforesaid application is enclosed marked "D".

That Sir, now it has burst my heart and I had became helpless to see that without considering my helpless condition towards the welfare of my small kids and without extending any humanitarian gesture the DPS, Imphal has suddenly cancelled the allotment order in which I presently reside and had further ordered me to occupy a Type - III quarter in palace compound which is situated at the distance of more than 2 Kms from Imphal P.O.

contd. 3

16. That Sir, I am extremely shocked to see the unhuman treatment given to me despite the fact one Type - II quarter is still vacant for allotment since April' 2002 and in case this is allotted to me I shall be able to look after my 3 years and 1 year old children.

Under the above factors, I request your honour with folded hands to kindly extend your general hand by making to personal intervention for allotment of above Type - II quarter which is still vacant and lying for allotment since April' 2002 in order to save the life of my children.

For this act of your kindness , I shall remain ever grateful to you.

Yours faithfully

Meena Devi

(Th. Meena Devi)

P.A/SBCO

Imphal H.O.

Advance copy to :-

1. Shri T.P. Selvem, P.M.G., Shillong with request for immediate intervention to explore justice for the welfare and security of my children. Since 1 unit of Type - II quarter is lying vacant for allotment since April'02 there may not be any reason of hardle for allotment to me by DPS, Imphal.
2. Shri R.K. B. Singh, D.P.S. Imphal. He is again requested with folded hands to kindly reconsider my humble prayer and allot the vacant Type - II quarter in old postal colony considering the welfare of children who are only 3 years and 1 years old. He is also requested to kindly keep his order in reserve until a decision is received from P.M.G., Shillong.

Yours, faithfully

Dated 26-2-03

Th. Meena Devi
(Th. Meena Devi)
P.A/SBCO
Imphal H.O.

Department of Post: India.
Office of the Director Postal Services, Manipur, Imphal;
795001.

No. D3-4/IP-QRT/Allot/Pt.III(A). Dated at Imphal, the 28.2.03.

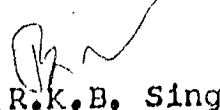
To

Smt. Th. Meena Devi,
P.A. (SBCO),
Imphal.

Sub: - Vacation of bye post quarter of
Postmaster, Imphal H.O. to-morrow
dtd. 01.03.03 positively.

The bye-post quarter of Postmaster, Imphal H.O. which
you have occupied by you has been allotted to Dy. Supdt. of
Post offices, Imphal.

You are, therefore asked to vacat the quarter
to-morrow dtd. 01.03.03 positively. If the quarter is not
vacated within the said period, Department ~~of~~ will take the
possession of the quarter on 01.03.03 by removing your personal
effects to outside without further notice. The department will
not held responsible for loss of any of your ~~a~~ personal
belongings after taking over the possession of the quarter.


(R.K.B. Singh)
Director Postal Services
Manipur, Imphal-795001.

*Certified to be
true copy
of original
Advocate*

Department of Post:India.
Office of the Director Postal Services:Manipur:Imphal:
795001.

No. D3-4/IP-QRT/Allot/Pt.III(A). Dated at Imphal,
the 25.03.03.

Smt. Th. Meena Devi is occupying the Postmaster's Quarter without authority, for which she is not entitled. The quarter has been allotted to Sri M.C. Das, Dy. S.P. Manipur Division vide this office letter No. of even No. dtd. 24.02.03. Smt. Th. Meena Devi has been allotted Quarter No. Type-III Unit-6, Postal colony, palace compound, Imphal vide this office letter No. D4/HAC/IP dtd. 09.10.02 above her entitlement, which she has not occupied till date.

It has been decided to charge commercial rate of rent from Smt. Th. Meena Devi for her un-authorised occupation of Postmaster's quarter.

The panel rent is fixed at Rs. 6355/= (Rupees six thousand three hundred fifty five) only and will be recovered from 02.03.03.

This is without prejudice to any further action which may be taken up in the matter.

Sd/-
(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

Copy to :-

1. The Postmaster, Imphal H.O. for information and necessary action.
2. Sri M.C. Das, Dy. SPOs, Manipur, Imphal for information.
3. Smt. Th. Meena Devi, P.A. (SBCO), Imphal for information.

R.K.B.
(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

*Certified to be true copy
of the original
Advocate*

To

Shri T.P. Selvam,
Post Master General,
N.E. Circle, Shillong

Through Director of Postal Services, Imphal.

Subject :- In the matter of irregular, unjustful, illegal and against the law of land, the action of Director of Postal Services, Imphal Manipur for imposing punishment of panel rent recovery of House rent at commercial rate while pendency of appeal in the matter with the higher authorities i.e. P.M.G., Shillong.

- AND -

ii) In the matter of humble appeal to take immediate action and other precautions under the Rules and Law of land to protect the applicant from undue harassment and to stay and quass the impunged order of Director of Postal Services, Imphal issued under memo, No. D3-4/IP-QRT/Allot/Pt- III (A) dated 25-03-'03 to meet the end of justice.

- AND -

iii) In the matter of further appeal for taking necessary action as deemed proper for allotment of quarter in old post office colony on humanitarian ground etc.

Ref. :- D.P.S., Imphal Memo No. D3-4/IP-QRT/Allot/Pt-III(A)
Dated : 25-03-'03.

MOST RESPECTFULLY SHEWETH :

1. That, the applicant who is now serving as postal Assistant (SBCO) at Imphal was transferred from Nagaland, Kohima to the Manipur vide Circle office Memo No. Staff/584/SBCO/RT/Pt-II dated 5-3-2002. After the issuance of the said transfer order the applicant submitted a representation on 13-3-2002 to the Director of Postal Services, Imphal, Manipur requesting for allotting a Type- II Departmental Quarter in the Old Postal Colony. In the said representation the

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P. B. Advait*

applicant reflected the cause of inconveniences to be faced by her at Imphal and the genuine reason justifying her prayer for allotment of quarter in old post office colony. The said representation was forwarded by the superintendant of Post Office (H.Q) for Director of Postal Services. Nagaland, Kohima vide his letter dated 14-3-2002.

A copy of the said representation & letter are annexed herewith as ANNEXURES A/1 & A/2 respectively.

2. That, the applicant also submitted a representation on 8-4-2002 to the Director of Postal Services, Imphal, Manipur requesting for allotting a type - II Quarter in old post office colony, which was vacated by one Shri Kh. Jiban Singh. In the said application the applicant also reflected about inconveniences and grievances faced by her after transferring from Kohima to Imphal, and further requested to allot the said vacant quarter.

A copy of the said representation is annexed herewith as ANNEXURE - A/3.

3. That, the then Director of Postal Services, Imphal Manipur after being satisfied about the compelling circumstances of the applicant allotted the vacant (Bye-Post Quarter of Post Master, Imphal), at Old Postal Colony vide his order dated 11-04-'02 on the condition that the applicant will vacate the quarter as soon as it is required by the post Master, Imphal Head Office.

A copy of the said order is annexed herewith as ANNEXURE - A/4.

4. That, after the issuance of the said order dated 11-04-2002 (Annexure - A/4), allotting the applicant the by quarter Type - III, The applicant submitted a representation on 31-05-2002 to the Director Postal Services, Imphal, Manipur requesting for allotting a Type - II Quarter in the old post Office Colony behind H.P.O. in place of the said

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- (3) -

Type- III quarter stating inter alia that the said allotment order is a temporary arrangement, She further requested to issue necessary orders allotting the said type - II quarter at an early date, which was lying vacant and no allotment order was issued to any one.

A copy of the said representation is annexed herewith as ANNEXURE - A/5.

5. But surprising enough to mention that by keeping a type-II quarter vacant in old post office colony since, April '02 the Director, Postal Services, Imphal Manipur took contrary decision and issued an order on 9-10-2002 wherein the applicant was allotted a type - III Unit 6 first floor of the quarter at Place compound Imphal, which was not convenient to the applicant considering the compelling condition about her two small children.

A copy of the said order is annexed herewith as ANNEXURE - A /6.

6. That, the applicant again submitted an application on 10-10-2002 to the Director Postal Services, Manipur requesting for allotting a quarter of Old Postal Colony in place of the Place Compound. In the said representation the applicant again reflected/highlighted all the facts and circumstances of her grievances by stating that she is living with 2 (two) small kids of three yrs. and one year respectively thereby she has to take care of the small kids all through the working hour. She further requested to allot the type - II Unit quarter in Old Postal Colony behind H.P.O. by issuing necessary order at an early date, which was still kept vacant.

A copy of the said order is annexed herewith as ANNEXURE - A/7.

7. That, to the great shock and surprise to mention that without considering the request made by the applicant the Director Postal Services, Imphal, Manipur issued an order on 24-02-2003 in respect of the bye post quarter in Old Postal Colony which is under occupation of the applicant and was allotted to one Shri M.C.Das, Deputy Superintendant of Post Office

Contd....4/-

-(4):-

Imphal with immediate effect. The said order further stated that the said incumbent shall occupy the quarter within seven days.

A copy of the said order is annexed herewith as ANNEXURE - A/8.

8. That, being aggrieved by the said order (Annexure-A/8) the applicant preferred an appeal before your honour on 26-2-'03. The said appeal was preferred through proper channel. In the said appeal the applicant again highlighted all the facts and circumstances of the her grievances and also inhuman acts done by the concerned authorities i.e. the Directorate of Postal Services, Imphal, Manipur by allotting quarter at Place Compound and also allotting the quarter which is in occupation by her to other incumbents. The applicant further requested in the said appeal to direct the concerned authority to allot a type - II quarter which is still lying vacant since, the month of April' 2002. The said appeal is not yet disposed of till date.

A copy of the said appeal is annexed herewith as ANNEXURE- A/9.

9. That, the Director Postal Services, Imphal on receipt of appeal to be forwarded to the post Master General Shillong, Called the applicant in his chamber and warned personally to vacate the quarter immediately or to face dire consequence etc. Again immediately and simultaneously wrote a letter on 28-02-2003 to the applicant regarding the vacating of the said quarter which is in possession of the applicant by 1st March, 2003 positively. The said letter further directed/stated that if the applicant fails to vacate the said quarter within the stipulated period the Department will take the possession of the quarter on 01-03-2003 by removing all the articles belonging to her without further notice and the Department will not held responsible for the lost of said property.

A copy of the said letter is annexed herewith as ANNEXURE - A/10.

Contd....5/-

- : (5) :-

10. That, thereafter due to threat given by the Director Concerned the applicant with fearful mind has submitted reminders dated 12-03-'03 and 25-03-'03 to your honour to explore justice and to cause allotment of vacant quarter in old Post Office Colony in which she can see the welfare and safety of her 2 (two) small children of 3 (three) years and one yr. old who lives on breast sucking only. If her quarter is shifted from the Old Postal Colony to Palace Compound in view of the impugned orders (Annexure - A/6 & A/8) she will suffer from irriporable losses and injuries that cannot be compensated in other terms and the innocent children of the applicant will further be jeopardised.

A Copy of the said reminder letters are annexed herewith as ANNEXURE -A/11 & A/12.

11. That, the applicant further begs to submit that besides the vacant quarter, vacated by Kh. Jiban Singh, two more quarters are engaged other wise and can be allotted to the applicant by making necessary arrangement in the Old Post Office Colony.

12. But, It is surprising and at the same time painful to mention that without any consideration and showing justification the Director of postal services, Imphal has issued a sudden arbitrary order of imposing penalty of penal recovery of rent at commercial rate and has fixed up. Rs. 6,355/- per month to be recovered from the pay of the applicant giving date of effect back dated i.e. 02-03-'03 without waiting for decision of appeal dated 26-02-'03 preferred by applicant to the Higher authority i.e. (to the P.M.G. S hillong).

A copy of the impugned order is enclosed marked "A/13".

Now, from the above, it may kindly be seen that the motive of the Director Postal Services, is cent per cent Biased, Prejudiced and malafidy to cause precumary circumstances not in the life of the applicant but also 2 (two) innocent small children aged 3 yrs and 1 year respectively.

It may kindly further be seen that non-alloting of vacant quarter without any valid reason since April '02 and keeping the quarter still vacant is well motivated to deny natural justice to the applicant.

Contd...

It may kindly further be seen that issuing the order, imposing penalty of recovery at commercial rate assessed by him whimsically to the tune of Rs. 6,355/- without issuing any show-cause notice and providing any opportunity to furnish my say has seriously violated the law of natural justice, and law of land.

It may kindly also be seen that, when the appeal in the same matter is pending with higher authority like P.M.G. Shillong, the action of Director by passing the normal procedure and overlooking the existence of higher authorities is gross violation of the rules, and law of the land.

That sir, the applicant at present after all normal deduction draws Rs. 5,616.00 per month, but without any human consideration and justice, the D.P.S. Imphal has passed order of penal recovery of Rs. 6,355/- i.e. Rs. 739.00 in excess of the total emoluments drawn by the applicant.

That, sir by effecting such, irregular, unjustful and arbitrary order of recovery the D.P.S. has not only exposed his excessiveness, but has also caused great pecuniary Circumstances to the applicant and now due to non-getting of salary during the operation of such impugned order there is no alternative but to starve with two innocent children and under such inhuman act and under such pecuniary and unjustful condition the applicant make the following prayer to your honour to save the life to meet the end of justice.

- (a) That, Your honour would be gracious enough to stop and stay the impugned and irregular order passed by D.P.S. Imphal for penal recovery of Rs. 6,355.00 per month i.e. more than Rs. 739.00 of the total emoluments drawn by the applicant.

Contd....7/-

- 42 -

Imphal:

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-(7) :-

- (b) That, your honour would be further gracious enough to dispose of the appeal dated 26-02-03 sympathetically so that the vacant quarter in the old post office colony is allotted to the applicant to save the life of her minor children.

The applicant for this act of your kindness shall remain grateful to you.

Your's faithfully,

Dated/Imphal
the 28th March, '03.

(TH. MEENA DEVI)
P.A./S.B.C.O., Imphal. H.O.

Enclosure: Annexure 1-13.

Adv. Copy to :-

1. The Chief P.M.G., N.E. Circle, Shillong for his kind information and immediate intervention to save the life of the applicant and her two small children.
2. Shri T.P. Selvam, P.M.G. Shillong for his kind information and similar action.

Th. Meena Devi,

(TH. MEENA DEVI)
P.A./S.B.C.O., Imphal. H.O.

Department of Post, India.
Office of the Director Postal Services, Manipur, Imphal:
795001.

No. D3-4/IP-QRT/Allot/Pt.III(A). Dated at Imphal, the 07.04.03

To

Smt. Th. Meena Devi,
P.A. (SECO), Imphal.

Sub:- Vacation of By-post quarter
of Postmaster, Imphal H.O.

You have been allotted Type-III-6, postal colony,
palace compound vide this office letter No. D4/HAC/IP dtd.
09.10.02.

You are given time upto 30.04.2003 to vacate the
Postmaster's quarter on the personal appeal made by you to
the C.P.M., N.E. Circle. Damage rent upto 30.04.03 will not
be charged and is waived.

(R.K.B. SINGH)
Director Postal Services
Manipur, Imphal-795001.

*Certified to be
true copy
R.K.B. Singh, Advocate*

To,

- 44 -

ADMEWURE

A/14 9

The Director of Postal Services,
Imphal, Manipur Division.

Sub :- Allotment of Departmental Quarter in
Old Post Office Colony and humble prayer
for extending generous and humanitarian
consideration in most pathetic, deplorable,
and compelling circumstances.

Ref :- Your esteemed letter No. D3-4/IP-QRT/Allot/
Pt.III(A), dated at Imphal, the 7-4-03.

Respected Sir,

Finding no alternative to solve the crisis prevailing about the welfare of my two small kids, I beg to issue this humble reminder to my appeal dated 28-03-03, which is lying pending with circle office as well as to your good-self. In this connection once more I with heavy heart would like to mention that it would not at all be practicable to keep my two small kids at distance place during office hour.

Sir, such being the un-avoidable circumstances once again I am repeating the same problem of my 1 yr. son who lives on breast feeding only.

Hence at last finding no alternative ways and means, I again request your goodself to kindly extend your generous hand and allot either the vacant quarter or any other accommodation which you consider proper in old post office colony to provide relief to my children who are only 3 years and 1 year old respectively.

Dated : 21-04-03.

Yours faithfully,

Self

(Th. Meena Devi)
PA/SBCO, Imphal H.O.

Copy to :-

✓ 1. The Post Master General, N.E. Circle,
Shillong for his kind information. He is
requested to kindly extend his kind personal
intervention and help for causing allotment
of quarter (Type-II) which is still lying
vacant since April, 2002. Another adjacent
Quarter which is occupied as store room of Head
Office can also be allotted by making alternative
arrangement to solve my problem.

Confined to be
Issue copy
to PA/SBCO, Imphal

Th. Meena Devi

(Th. Meena Devi)
PA/SBCO, Imphal H.O.