

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 292/2007

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Sealtra
10.10.17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

1. Original Application No. 292/07

2. Miss Petition No. /

3. Contempt Petition No. /

4. Review Application No. /

Applicant(s). B.K. Th. Meena Devi.....vs Union of India & Ors

Advocate for the Applicants. P.C. Pathak, H.K. Gogoi....

Advocate for the Respondant(s): Cafe.....

Notes of the Registry	Date	Order of the Tribunal
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This application is in form
is filed/C. F. for Rs. 50/- 20.11.07. Judgment pronounced in open
deposited vide IPO/PO Court. Kept in separate sheets.
No. 66F/839626, 22, Application is disposed of.
Dated 12.11.07 64E396261

②. Registrar

Khushiram
(Khushiram)
Member(A)

M.R. Mohanty
(M.R. Mohanty)
Vice-Chairman

Petitioners copy for
various notices are
received with encclps.

Copy served.

29/11/07

28.11.07
C. copy of the Judgment
collected by the L/Advocate
The applicant on 27.11.07 and
copy for the Respondent alongwith
application are sent to the
Opp. for recd. the same
in response by Post.

18.12.07 Judgment issued
wide of Nos 1660 to
1667 on 30.11.07 Jth.

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 292 of 2007

DATE OF DECISION: 20.11.2007

Smti Th Meena Devi.

.....Applicant/s

Mr.B.C.Pathak

..... Advocate for the
Applicant/s.

- Versus -

U.O.I. & Ors

.....Respondent/s

Ms.Usha Das, Addl.C.G.S.C.

..... Advocate for the
Respondents

CORAM

THE HON'BLE MR.MANORANJAN MOHANTY, VICE-CHAIRMAN
THE HON'BLE MR.KHUSHIRAM, ADMINISTRATIVE MEMBER

1. Whether reporters of local newspapers may be allowed
to see the Judgment?

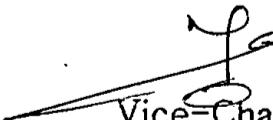
Yes/No

2. Whether to be referred to the Reporter or not?

Yes/No

3. Whether their Lordships wish to see the fair copy
of the Judgment?

Yes/No


Vice-Chairman/Member

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.292 of 2007

Date of Order: This the 20th Day of November, 2007.

HONBLE MR.M.R.MOHANTY, VICE-CHAIRMAN

HON'BLE MR.KHUSHIRAM, ADMINISTRATIVE MEMBER.

Smt.Th Meena Devi, aged about 37 years
W/O Shri L.Priyokumar Singh, Office of the postmaster,
Itanagar Head Post Office,
Itanagar **Applicant**

By Advocate Mr.B.C.Pathak, Mr.H.K.Gogoi

-Versus-

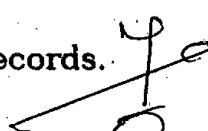
1. Union of India, represented by the Secretary, Ministry of Communications, Deptt. of Posts, New Delhi-110001.
2. The Director General (Posts)
Dak Bhawan, Sansad Marg
New Delhi-110001.
3. The Chief Postmaster General
N.E.Circle Shillong
4. The Director of Postal Services,
Manipur, Imphal
5. The Director of Postal Services
Arunachal Pradesh, Itanagar
6. The Postmaster, Imphal H.P.O.
Imphal, Manipur **Respondents.**

By Advocate Ms.Usha Das, Addl.C.G.S.C.

ORDER (ORAL)

M.R.MOHANTY,V.C:

Heard Mr.B.C. Pathak, learned counsel appearing for the Applicant and Ms.Usha Das, learned Addl.Standing counsel appearing for the Union of India, on whom a copy of this O.A. has already been served. Perused the materials placed on records.



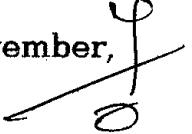
2. Claiming financial benefits for the period from 29th September, 2006 to 31st January, 2007; the Applicant, a Postal Assistant, has filed this O.A under Section 19 of the Administrative Tribunals Act, 1985. It appears that representation of the Applicant seeking the benefits was turned down by the Respondents under Annexure -O dated 24th January, 2007 and Annexure-P dated 29th January, 2007.

3. On a perusal of the aforesaid two orders, it goes to show that the same were passed in a very cryptic manner without disclosing any reasons.

4. It is seen from Annexure -S dated 29th January, 2007 that the Applicant submitted a representation to the Deputy Superintendent of Post Offices of the Office of the Director Postal Services of Manipur at Imphal, virtually, seeking the same relief and clarifications in the matter.

5. In the present Original Application, however, the Applicant has (in support of her contention) elaborated the reasons as to why she should get the financial benefits for the period from 29.06.2006 to 31.01.2007. It appears that the Applicant never took any steps to satisfy the Respondents (with reasons) to settle the matter and, therefore, without entering into the merits of this O.A and without giving any opinion in the matter, this Original Application is, hereby, disposed of with direction to the Respondents to reconsider the matter by treating the copy of this Original Application to be the Representation (of the Applicant) to the Respondents.

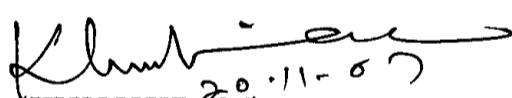
6. While parting with this case, Applicant is, hereby, also granted, liberty to file a consolidated Representation (stating all her grounds therein) addressed to the C.P.M.G. by end of November,

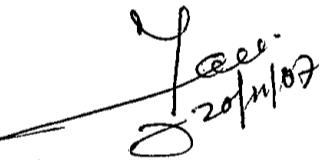


2007. We are sure, if such a Representation is submitted by the Applicant within the time fixed herein, the Respondents shall duly consider the same (alongwith the grounds set forth in the present Original Application) and shall advise the Applicant accordingly. If, the Applicant desires for a personal hearing in the matter, then the Respondents should also grant a personal hearing to the Applicant before passing a final order on her representation. The Respondents should pass a reasoned order in this matter latest by end of January, 2008.

7. Send copies of this order to all the Respondents (alongwith copies of the O.A) and a free copy to the Applicant in the address given in the O.A. The copies of this order be also supplied to the learned counsel for the parties.

With the aforesaid observations and directions, this Original Application is disposed of.


20.11.07
(KHUSHIRAM)
MEMBER(A)


20.11.07
(M.R.MOHANTY)
VICE-CHAIRMAN

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गुवाहाटी बायपीठ

Guwahati Bench

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI

O.A. No. 292 /2007

Smt. Th Meena DeviApplicant
-versus-
Union of India & othersRespondents

SYNOPSIS OF THE CASE

This application is directed against the non-payment of salary and allowances for the period 29.9.2006 to 31.1.2007 in spite of clear order(s) passed by the Hon'ble High Court and this Hon'ble Tribunal.

The applicant, Smt. Th Meena Devi, is working under the respondents and she was transferred to Itanagar Head Post Office vide Circle Office, Shillong, Memo No. Staff/584/RT/2004 dated 17-04-2006. The applicant being aggrieved by the said order of transfer filed an Original Application before this Hon'ble Tribunal vide O.A. No.113/2006. This Hon'ble Tribunal disposed of the said O.A. on 15.05.2006 at the admission stage itself with the direction that the respondents should consider her representation dated 24.4.2006 (as annexed to the OA No.113/2006) and pass appropriate speaking order within a time frame of one month.

The competent authority of the respondents disposed of the representation dated 24.4.2006 of the applicant in a very cryptic manner vide Memo No. Staff/SBCO/RT/2004 dated 22-05-2006. Being not satisfied, the applicant once again approached this Hon'ble Central Administrative Tribunal by filing O.A. No.124/2006. On preliminary hearing of the said application this Hon'ble Tribunal vide order dated 26.5.2006 directed the respondents to maintain status quo as on date till the next date. The applicant then filed Misc. Petition No.50/2006 in O.A. 124/2006 and this Hon'ble Tribunal was pleased to pass order on 11-09-2006 and thereby allowing the petition with a direction to accommodate

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Civil Bench

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the applicant in Manipur up to the end of 2006 and with consequential benefits.

The respondents had challenged the order dated 11.9.2006 passed in the said MP No. 50/2006 vide WP(C) No.6152/2006 thereby praying for quashing of the said order. The Hon'ble High Court after hearing the parties and perusing the records was pleased to dispose of the said writ petition vide order dated 18.12.2006 with the direction that the applicant shall be allowed to move to Itanagar by the end of January, 2007 and till then she should be allowed to continue at Imphal against any available vacancy.

But despite such clear orders from the Hon'ble High Court and also from this Hon'ble Tribunal and also a host of representations preferred by the applicant, the respondents most illegally did not allow the applicant to join/continue in service at Imphal. The applicant has now joined at Itanagar since 10.2.2007. However, till date, the respondents have not paid to the applicant the consequential benefits for the period with effect from 29.9.2006 to 31.1.2007 including the payment of salaries and allowances for the said period. Hence, this instant application.

Filed by:

Hemanta Kr. Goswami

Advocate

Date: 19.11.07

19 NOV 2007

গুৱাহাটী = আক্ষয়ীঠ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI

O.A. No. 292 /2007

Smt. Th Meena Devi Applicant
 -versus-
 Union of India & others Respondents

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Filed by:

Hemanta Kir. Gogoi
Advocate
Date: 19.11.07

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गुवाहाटी बैच

Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH AT GUWAHATI

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT, 1985)

ORIGINAL APPLICATION NO. 292 of 2007

Smt. Th Meena Devi, aged about 37 years,
W/o Shri L. Priyokumar Singh, Office of the
Postmaster, Itanagar Head Post Office.
Itanagar.

....APPLICANT

-VERSUS-

- 1) Union of India, represented by the
Secretary, Ministry of Communications,
Dept. Of Posts, New Delhi-110001.
- 2) The Director General (Posts)
Dak Bhawan, Sansad Marg
New Delhi-110001.
- 3) The Chief Postmaster General
N.E.Circle, Shillong.
- 4) The Director of Postal Services,
Manipur, Imphal.
- 5) The Director of Postal Services
Arunachal Pradesh, Itanagar.
- 6) The Postmaster, Imphal H.P.O
Imphal, Manipur.

....RESPONDENTS

Th. Meena Devi

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Filed by
Hemanta Kr. Gogoi

Advocate, 19.11.07

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गुरुवाहाटी न्यायशीठ
BenchDETAILS OF APPLICATION:1. **Particulars of the order against which the application is made:**

(A) This application is directed against the non-payment of salary and allowances for the period 29.9.2006 to 31.1.2007 in spite of clear order(s) passed by the Hon'ble High Court and this Hon'ble Tribunal.

(B) This application is also directed against the order passed by the respondent No.2 vide No. Vig./LC-9/06 (CAT). dated 4.10.2006 thereby not allowing the applicant to resume her duties with effect from 29.9.2006 as per order passed by this Hon'ble Tribunal on 11.9.2006 in M.P No. 50/2006 arising out of OA No. 124/2006.

(C) The order passed by the Chief Postmaster General and communicated by the Asstt. Director (Staff) vide Memo No. Staff/95-50/93 dated 24.1.2007 thereby imposing a condition that the intervening period from the date of relief of the official from SBCO Imphal H.O. till her rejoining as PA, Imphal H.O. will be regularized by granting of leave admissible to her as and when applied for as in para 4 in the said impugned orders as in ANNEXURE-O.

(D) The order passed by the Director of Postal Services, Manipur Division, Imphal vide order No. B-2/Th. Meena Devi dated 29.1.2007 communicated by the Dy. Superintendent of Post Offices, Imphal, thereby allowing the applicant to resume her duties against the vacant post at Imphal upto 31.1.2007 and thereafter to move on transfer to Itanagar in the first week of February, 2007. This order has been issued pursuant to the order dated 8.1.2007 passed by the Hon'ble High Court in WP (C) No. 6152/ 2006 but imposing the condition that the intervening period from the date of relief of the official from SBCO Imphal H.O. till her rejoining as PA Imphal H.O. will be regularized by granting of leave admissible to her as and when applied for as in para 4 of the ANNEXURE-P.

Th. Meena Devi

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गुवाहाटी न्यायपीठ
... 1st Bench2. Jurisdiction of the Tribunal:

The applicant declares that the subject matter is within the jurisdiction of the Hon'ble Tribunal.

3. Limitation:

This applicant further declares that the application is within the limitation period prescribed in Section 21 of the Administrative Tribunal Act 1985. Moreover, the subject matter of this application being related to non-payment of salary and allowances, gives rise to recurring cause of action as settled by the Hon'ble Supreme Court

4. FACTS OF THE CASE:

- 4.1. That, the Applicant herein Smt. Th Meena Devi was appointed as Postal Assistant of 'Savings Bank Control Organization', in short – 'SBCO', in the year 1993 and posted in her native place, Imphal, in Imphal Head Post Office. She worked there during the period with effect from 06-10-1993 to August, 1998. Thus she completed prescribed tenure of four years there.
- 4.2. That, thereafter the applicant was transferred and posted at Kohima Head Post Office and there she worked during the period from August, 1998 to April, 2002.
- 4.3. That, again the applicant was posted at Imphal Head Post Office where she had been working since 04-04-2002 onwards. Thereafter the applicant was transferred to Itanagar Head Post Office in the State of Arunachal Pradesh vide Circle Office, Shillong, Memo No. Staff/584/RT/2004 dated 17-04-2006.

A copy of the said order dated 17-04-2006 is annexed hereto and marked as ANNEXURE –A.

Th. Meena Devi

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सूचाहारी न्यायपीठ
Central Bench

4.4. That the applicant being aggrieved by the said order of transfer filed an Original Application before this Hon'ble Tribunal vide O.A. No.113/2006, on the plea that (i) the transfer order was issued in the middle of academic year and (ii) the transfer order disturbed her normal family life since her husband is also working at Imphal in the same Head Post Office and in the same cadre of Postal Assistant, SBCO. That this Hon'ble Tribunal disposed of the said O.A. on 15.05.2006 at the admission stage itself with the direction that the respondents should consider her representation dated 24.4.2006 (as annexed to the OA No.113/2006) and pass appropriate speaking order within a time frame of one month.

The copies of the said order dated 15-05-2006 passed in O.A.No.113 of 2006 and the representation dated 24.4.2006 are annexed hereto and marked as ANNEXURE –B & C respectively.

4.5. That the competent authority of the respondents disposed of the representation dated 24.4.2006 of the applicant in a very cryptic manner and without considering the ground realities of the grievance of the applicant that she had been transferred during the mid-academic session disturbing the prospect of education of her children and ignoring the spouse clause as provided by Rules and Guidelines of the Govt. of India in this regard. This was done vide Memo No. Staff/SBCO/RT/2004 dated 22-05-2006, whereby her representation was rejected and it was directed that she should be relieved from Imphal Head Post Office with immediate effect.

A copy of the said order dated 22.5.2006 is annexed hereto and marked as ANNEXURE- D.

4.6. That being aggrieved by the said order dated 22.5.2006 the applicant once again approached this Hon'ble Central Administrative Tribunal by filing O.A. No.124/2006 challenging the order dated 22-05-2006 by which her representation against the transfer order was rejected. On

Th. Meena Devi

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गुवाहाटी न्यायालय
Guwahati Bench

preliminary hearing of the said application this Hon'ble Tribunal vide order dated 26.5.2006 directed the respondents to maintain status quo as on date till the next date. In this connection it is pertinent to state here that the said order of transfer dated 17.4.2006 was issued in contravention of the circular of Govt. of India, Department of Posts dated 19.2.1997, 23.3.1999 and 11.4.2001 and in violation of the ratio laid down by the Hon'ble Supreme Court in "Director of School Education -vs- O. Karuppa Thevan" as reported in 1994 SCC (Supli-2) 666.

A copy of the said order dated 26.5.2006 is annexed hereto as ANNEXURE-E.

4.7. That while the OA No. 124/2006 was pending before this Hon'ble Tribunal, the applicant filed a petition, which was registered as Misc. Petition No.50/2006 in O.A. 124/2006. By the said petition the applicant prayed that her transfer order dated 17.4.2006 be kept in abeyance till such time when this Hon'ble Tribunal would be pleased to issue specific direction in view of the order dated 26.5.2006 passed in the OA. The Hon'ble Tribunal vide order dated 31.5.2006 passed in MP No.50/2006 issued direction to the respondents to permit the applicant to continue in the present post at Imphal till the next date as the applicant categorically submitted that she has not been physically relieved from the post as she was on leave and the relieving incumbent also has not joined in her post. The Hon'ble Tribunal heard the said petition finally and was pleased to pass the order on 11-09-2006 and thereby allowed the petition with a direction to accommodate the applicant in Manipur up to the end of 2006 and with consequential benefits.

A copies of the order dated 31.5.2006 and 11-09-2006 passed in Misc. Petition No. 50/2006 is annexed as ANNEXURE- F & G respectively.

Th. Meena Devi

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गुरुहाती नायपीठ
Guruhati Nayapit

4.8. That the applicant accordingly submitted a representation on 14.9.2006 to the respondents with a request for implementation of the order dated 11.9.2006 passed in MP No.50/2006 and also requested to accommodate her in Manipur Division. The said representation was duly received by the respondents. The applicant again on 29.9.2006 submitted another representation thereby seeking implementation of the said order dated 11.9.2006 and informed the respondents that she has already completed the leave on medical ground and her due date to join in service is 29.9.2006. Accordingly the applicant submitted her joining report / charge report duly filled in and to allow her to resume duty with effect from 29.9.2006. By the said representation the applicant submitted the fitness certificate, copies of charge report and the copy of the order dated 11.9.2006 passed by this Hon'ble Tribunal. The competent authority of Imphal Head Post Office received the said representation and the joining report and forwarded the same to the higher authority with his endorsement on the body of the said representation. The applicant also submitted another representation on 30.9.2006 and reassured her stand to allow her to be in service with effect from 29.9.2006.

The copies of the representation dated 14.9.2006, 29.9.2006 and 30.9.2006 are annexed as ANNEXURE- H, I & J respectively.

4.9. That the respondents vide their letter No. B-17/CAT/OA-124/2006 dated 3.10.2006 informed the applicant that her application dated 30.9.2006 and 29.9.2006 were forwarded to the Circle Office, Shillong for necessary decision. The Circle Office vide their letter No.Vig./LC-9/06(CAT). dated 4.10.2006 informed the applicant that the respondents have taken a decision to challenge the order dated 11.9.2006 in the next higher forum. By the said communication it was further stated that it would not be proper to allow the applicant to resume duty at Imphal HPO due to non-availability of vacant post in the cadre of PA (SBCO).

Th. Meeng Dein

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गुराहाटी बैठकीठ
Gauhati Bench

The copies of the said communications dated 3.10.2006 and 4.10.2006 are annexed as ANNEXURE-K & L respectively.

4.10. That the respondents accordingly had challenged the order dated 11.9.2006 passed in the said MP No. 50/2006 and a writ petition was filed vide WP(C) No.6152/2006 thereby praying for quashing of the said order. The Hon'ble High Court after hearing the parties and perusing the records was pleased to dispose of the said writ petition vide order dated 18.12.2006 with the direction that the applicant shall be allowed to move to Itanagar by the end of January, 2007 and till then she should be allowed to continue at Imphal against any available vacancy. In view of the said order dated 18.12.2006 passed by the Hon'ble Gauhati High Court, the order dated 26.5.2006 passed in OA No.124/2006, 31.5.2006 and 11.9.2006 passed in MP No.50/2006 continued to be operative and hold the field as was not interfered by the Hon'ble High Court. in the meantime the applicant filed a representation on 30.12.2006 thereby requested the respondents to kindly make arrangement for immediate payment of her salary with effect from 29.9.2006 onwards in view of the Hon'ble Court's order.

The copies of the said order dated 18.12.2006 and representation dated 30.12.2006 are annexed as ANNEXURE-M & N respectively.

4.11. That the respondent authority vide impugned order Memo No. Staff/95-50/93 dated 24.1.2007 allowed the applicant to join in service at Imphal HPO, Manipur in a vacant post with immediate effect till 31.1.2007 as in para one of the said Memo. By the para 2 of the said Memo it has been stated that the applicant has been thereby posted at Itanagar and she would proceed to Itanagar by the first week of February. Apparently, the said competent authority has modified the earlier order dated 17.4.2006 by this Memo dated 24.1.2007 to the

Sh. Meena Sini

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गृवाहाटी न्यायपीठ
Gauhati Bench

extent to give effect to the said order of transfer dated 17.4.2006 only after 31.1.2007. The said authority has also made it clear in para 3 of the said Memo that the said decision is taken in pursuance to the order dated 08.1.2007 (should be 18.12.2006) passed by the Hon'ble High Court in WPC No.6152/2006. But in spite all the above clarity of facts and the legal position of the matter, the said authority by the para 4 has put a condition that the intervening period from date of relief of the official from SBCO Imphal H.O. till her rejoining as PA, Imphal H.O. will be regularized by granting of leave admissible to her as and when applied for. The contents of the said Memo dated 24.1.2007 was re-issued by the respondent No.4 in verbitum vide letter No.B-2/Th. Meena Devi dated 29.1.2007. This para 4 of the impugned Memo dated 24.1.2007 and 29.1.2007 is illegal, arbitrary and the same has been issued against and in contravention of the order dated 15.5.2006 passed in OA No.113/2006, order dated 26.5.2006 passed in OA No.124/2006, order dated 31.5.2006 and 11.9.2006 passed in M.P No.50/2006 and final order dated 18.12.2006, passed by the Hon'ble High Court in WPC No.6252/2006. The applicant vide her representation dated 29.1.2007 promptly took up the matter with the respondents and sought clarifications with regard to the para 4 of the said impugned order dated 24.1.2007 and 29.1.2007 as to under what provisions of law the said condition has been imposed. Hence, the said order dated 24.1.2007 and 29.1.2007 passed by the respondents cannot sustain in law and are liable to be set aside and quashed. In the meantime, the applicant could join in service on 31.1.2007 and thereafter she moved to Itanagar and joined there on 10.2.2007.

The copies of the impugned order dated 24.1.2007 and 29.1.2007, Charge Reports and the representation dated 29.1.2007 are annexed as ANNEXURE-O, P, Q, R and S respectively.

H. Meena Devi

19 NOV 2007

গুৱাহাটী নথায়ালি
Guwahati Bench

4.12. That as explicit on records, the petitioner all along with her humility and in clear terms stated that the said order of transfer being mid-academic one affecting and interfering with the education of her children and against the provisions of spouse clause of the Govt. of India, she would comply with the order of transfer but the same be kept in abeyance till the academic sessions of her children were over by the end of January, 2007. But the respondents failed to accommodate the prayer of the applicant and the order passed by this Hon'ble Tribunal only on the plea that there was no vacancy available to accommodate her in Manipur. Whereas, by the impugned order dated 24.1.2007 and 29.1.2007 as in para 1, the said respondents have categorically and specifically stated that the applicant had been allowed to join in the vacant post at Imphal HPO itself and to continue up to 31.1.2007. Therefore the actions of the respondents for not allowing the applicant to continue in service at Imphal HPO from 29.9.2006 to 31.1.2007 and the stand taken by the respondents that there had been no vacancy were baseless and therefore all such action for non-consideration of the period from 29.9.2006 to 31.1.2007 of the applicant as on duty and the non-payment of salary and allowances for the said period are liable to be treated as illegal and void ab-initio. It is also a matter of grave concern that the respondents even made false statements in their affidavit filed in the OA No.124/2006, and in the WPC No.6152/2006 which proved contrary to their statements and proved as to how they falsified the matter before the court of law with regard to the correct vacancy position. As a result, the applicant is entitled to her all the consequential benefits for the period with effect from 29.9.2006 to 31.1.2007 including the payment of salaries and allowances for the said period. Therefore both the para 4 of the said two orders dated 24.1.2007 and 29.1.2007 are liable to be set aside and quashed as illegal, arbitrary and violative of the direction /order passed by this Hon'ble Tribunal on 15.5.2006 in OA No.113/2006, 26.5.2006 passed in OA No.124/2006, 31.5.2006 and 11.9.2006 passed in MP No.50/2006 and the order dated 18.12.2006 passed by the Hon'ble High Court in WPC NO.6152/2006.

Sh. Meena Dini

4.13. That there is no other alternative or equally efficacious remedy and the relief sought for in this application, shall be just, adequate and proper, if granted.

4.14. That this application is filed bonafide and in the interest of justice.

5. Grounds for relief with legal provisions:

5.1 For that the respondents erred both in facts and law in not considering the case of the applicant to treat the period from 29.9.2006 to 31.1.2007 as on duty in view of the order passed by the Hon'ble Tribunal on 15.5.2006 in OA No.113/2006, 26.5.2006 passed in OA No.124/2006, 31.5.2006 and 11.9.2006 passed in MP No.50/2006 and the order dated 18.12.2006 passed by the Hon'ble High Court in WPC NO.6152/2006.

5.2 For that the applicant should have been considered deemed to be on duty and for all consequential benefits including salary and allowances for the period from 29.9.2006 to 31.1.2007 in terms of the order passed by the Hon'ble Tribunal on 15.5.2006 in OA No.113/2006, 26.5.2006 passed in OA No.124/2006, 31.5.2006 and 11.9.2006 passed in MP No.50/2006 and the order dated 18.12.2006 passed by the Hon'ble High Court in WPC NO.6152/2006.

5.3 For that the respondents deliberately and willfully did not consider the representation dated 30.12.2006 thereby claiming payment of salary and allowances from 29.9.2006 onwards and representation dated 29.1.2007 seeking clarification for justification of condition in para 4 of the impugned order dated 24.1.2007 and 29.1.2007 as in ANNEXURE-O & P in the application.

5.4 For that the non-payment of salary and allowances to the applicant for the period from 29.9.2006 to 31.1.2007 is an action, which is violative

Th. Meena Dini

19 NOV 2007

গুৱাহাটী ন্যায়পীঠ
Guwahati Bench

of the provisions of Article 14 and 21 of the Constitution of India and also the principles of natural justice and administrative fairplay.

- 5.5 For that the action of the respondents in not keeping the order of mid-academic transfer in abeyance till such time when the academic session of the children of the applicant was over by the end of January, 2007 and such action being violative of the principles and ratio laid down by the Hon'ble Supreme Court in "Director of School Education -vs- O. Karuppa Thevan" as reported in 1994 SCC (Supli-2) 666 and also order passed by this Hon'ble Tribunal as stated in the OA.
- 5.6 For that the order of transfer dated 17.4.2006 and the impugned orders dated 24.1.2007 and 29.1.2007 are issued contrary to the provisions of circular dated 19.2.1997, 23.3.1999 and 11.4.2001 and as such the imposition of condition in para 4 of the said impugned order dated 24.1.2007 and 29.1.2007 are illegal, arbitrary and the same are liable to be set aside and quashed.
- 5.7 For that in any view of the matter and under the facts and circumstances of the case and also the provisions of law the para 4 of both the impugned orders dated 24.1.2007 and 29.1.2007 thereby imposing illegal condition are liable to be set aside and quashed.

6. Details of the remedies exhausted:

The applicant declares that she has availed of all the remedies available to him under the relevant service rules. The applicant submitted his representation detailing his all about the claims and the same has been rejected by the impugned order dated 24.1.2007 and 29.1.2007.

7. Matters not previously filed or pending with any other court:

Jh. Meenapuri

19 NOV 2007

ଗୁବାହାଟୀ ନ୍ଦ୍ୟାୟତୀଠ
Guwahati Bench

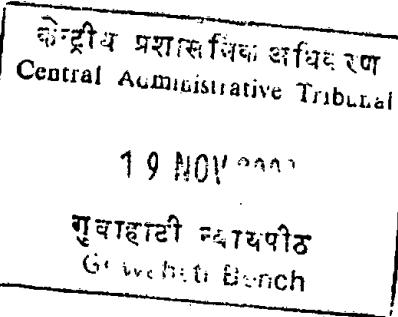
The applicant further declares that he filed applications in this Hon'ble Tribunal, which were registered as OA No. 113/2006 and 124/2006 including the MP No.50/2006 but the respondents inspite of the clear orders have passed the impugned order dated 24.1.2007 and 29.1.2007 thereby giving rise to fresh cause of action for non-payment of salary and allowances for the period from 29.9.2006 to 31.1.2007 and all other consequential benefits. Except the said fact the applicant had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. **Relief(s) Sought:**

In view of the facts and circumstances of the case and the provisions of law as stated in this application as mentioned in para 4 and 5 above the applicant prays for the following relief(s):

- 8.1. To set aside and quash the conditions laid down in para 4 in both the impugned orders dated 24.1.2007 and 29.1.2007 imposing illegal conditions in contravention of the provisions of law and also the orders passed by the Hon'ble Tribunal on 15.5.2006 in OA No.113/2006, 26.5.2006 passed in OA No.124/2006, 31.5.2006 and 11.9.2006 passed in MP No.50/2006 and the order dated 18.12.2006 passed by the Hon'ble High Court in WPC NO.6152/2006;
- 8.2. To direct the respondents to treat the period from 29.9.2006 to 31.1.2007 as period spent on duty and to pay the salary and allowances for the said period with all other consequential benefits;
- 8.3. To pay cost of the litigation.
- 8.4. To pass such further or other order that this Hon'ble Tribunal may deem fit and proper.

Dr. Meena Dini



9. Interim order, if any prayed for:

The applicant respectfully states that at the stage the applicant has no prayer for interim order.

10. APPLICATION IS FILED THROUGH THE ADVOCATE.

11. PARTICULARS OF IPO :

I.P.O. No. : 66F 837626, 66F 837622, 64E 396361
 Date of issue : 12.11.07
 Issued from : Gauhati
 Payable at : Gauhati

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification.....

Th. Meena Sm

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
19 NOV 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Verification

I, Smt. Th Meena Devi, W/o Sri L.Priyokumar Singh, aged about 37 years, occupation, PA (SBCO) working in the Office of the Itanagar Head Post Office, Itanagar, at present residing at Itanagar, Arunachal, do hereby solemnly affirm and declare that the statements made in the application in para 1 to 4.2 and 5 to 10..... are true to my knowledge and belief, those made in para 4.3 to 4.11..... being matter of records, are true to my information derived therefrom and the rest are my humble submission and legal advice. I have not suppressed any material fact of the case.

And I sign this verification on this 19th day of November, 2007 at Guwahati.

Th. Meena Devi

Deponent

DEPARTMENT OF POSTS: INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL N. E. CIRCLE: SHILLONG-793 001.

No. Staff/584/SBCO/RT/2004

Dated at Shillong, the 17th April 2006.

Approval of the Postmaster General, N. E. Region, Shillong is hereby conveyed to the following Transfers & Postings of SBCO officials to have immediate effect.

Sl. No.	Name of the officials	Present Place of Posting	Posted on transfer as	Remarks
1.	Shri I. N. Singh	Imphal	Kohima	Vice Smt. I. Y. Devi transferred
2.	Shri Anjani Ranjan	Itanagar	Tura	Vice Sl. 8
3.	Shri Chandan Deb	ICO, (SB) CO.	Shillong-GPO	Vice Sl. 4
4.	Smti. Dipika Dhar	Shillong-GPO	ICO (SB), CO.	Vice Sl. 3
5.	Smti Meena Devi	Imphal	Itanagar	Vice Sl. 2
6.	Smti. R. K. Sanjeeta Devi	Dharmanagar	Imphal	Vice Sl. 5
7.	Smti. Lianzuali Pautu	Aizawl	Dharmanagar	Vice Sl. 6
8.	Smti. Ronjengpuii	Tura	Aizawl	Vice Sl. 7

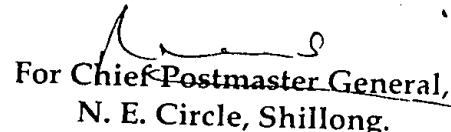
Officials at Sl. 4, 5 & 7 will move first & are to be relieved on office arrangement immediately.


(Niranjan Das)
A.P.M.G. (Staff)

Copy to:-

1-10) Officials Concerned, Smt. Meena Devi, (SBCO), Imphal.
 11-18) The Postmaster, Aizawl/Dharmanagar/Imphal/Itanagar/Kohima/
 Tura/Shillong-GPO/Agartala.
 19) The A.O, ICO (SB), C.O. Shillong.
 20-24) The D.P.S, Aizawl/Imphal/Itanagar/Kohima.
 25) The Sr. Supdt. of P.Os, Shillong.
 26) The Supdt. of P.Os, Dharmanagar.
 27) The A&P Section, C.O. Shillong.
 28) The A. D. (A/Cs), C.O. Shillong.
 29-30) Spare.

*Personal copy. Please deliver via
newspaper V/H*


For Chief Postmaster General,
N. E. Circle, Shillong.



Certified to be true Copy.

H. K. Gogoi
Advocate

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 113 of 2006

Date of Order : This the 15th day of May 2006.

The Hon'ble Sri K.V. Sachidanandán, Vice-Chairman.

Smt. Th Meena Devi, Aged about 36 years,
W/o Shri L. Priyokumar Singh
Qtr. No. 2 - Postal Colony,
Imphal HPO - Complex,
P.O. - Imphal HPO
Dist. - Imphal West State Manipur
Presently working as : Postal Assistant (SBCO)
Imphal H.P.O. - 795 001.

..... Applicant.
By Mr. B. Kalita, Sr. Advocate and Mr. B.K. Talukdar, Advocate

- Versus -

1. Union of India
Through :-
The Director General (Posts),
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
2. The Chief Post Master General
North Eastern Postal Circle
Shillong - 793 001.

3. The Post Master General
North Eastern Postal Circle
Shillong - 793 001.

The Director Postal Services,
Manipur, Imphal - 793 001.

..... Respondents.

By Advocate Mr. M.U. Ahmed, Addl. C.G.S.C.

.....

Certified to be true Copy.

H. K. Gogoi

Advocate

ORDER (ORAL)

K.V. SACHIDANANDAN, (V.C.)

The applicant is an employee of department of posts and working as Postal Assistant at Imphal Head Post Office at Imphal (Manipur State). The applicant's husband is also presently working as Postal Assistant at Imphal Head Post Office. In the application, the applicant averred that she has three children, first daughter is studying in Class - 1, 2nd is studying in K.G. and the 3rd is only 7 months old (Infant daughter). While so, she has been transferred vide impugned order dated 17.04.2006 to Itanagar, more than 400 Kms. away from her present working place and one of the ground is that her children are studying in school and their academic session start from December-January and she has been transferred in the middle academic session of her children. Aggrieved by the said inaction, the applicant has filed this application seeking the following reliefs :-

"(i) The transfer order issued vide Memo No. Staff/584/SBCO/RT/2004 dated 17th April 2006 (ANNEXURE - A/1 may be quashed; and

(ii) The above Respondents may be directed to issue 'transfer orders' in accordance with the standing department instructions, so that the application along with her husband may be transferred together to any station within the 'Region of the Postmaster General' in due course;

(iii) The applicant may be allowed the cost of this application; and

(iv) The applicant may be allowed any other benefit(s), which the Hon'ble Tribunal may deem proper to render justice."

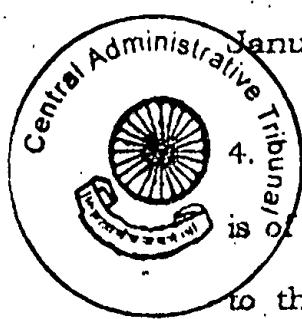


20
Sr.

2. I have heard Mr. B. Kalita, learned Counsel for the applicant and Mr. M.U. Ahmed, learned Addl. C.G.S.C. for the respondents.

3. Learned counsel for the applicant submitted that the applicant has filed a representation before the authorities on 24.04.2006 and he will be satisfied if a direction is given to the respondents to consider and dispose of the same within a time frame. Learned counsel for the respondents, on the other hand, submitted that there is no ground to challenge the transfer order. Learned Counsel for the respondents also submitted that he does not know whether the academic session start from December-January or April-June.

4. However, considering the facts of the case, this Tribunal is of the view that it will meet ends of justice, if a direction is given to the respondents to consider and dispose of the representation within a time frame. The Supreme Court in the case of Director of School Education, Madras and Others Vs. O. Karuppa Thevan and another, reported in 1994 Supp: (2) SCC 666 held that "transfer during the mid academic term - in the absence of urgency such transfer restrained from being effected till the end of that academic year". Therefore, this Tribunal directs the respondents to consider with the representation of the applicant ~~in~~ due application of mind and pass appropriate speaking order and communicate the same to the applicant within a time frame of one month from the date of receipt of this order.



✓ 5. In the interest of justice, this Tribunal also directs that transfer order dated 17.04.2006 so far as the applicant is concerned will be kept in abeyance till such order is passed.

..... The O.A. is disposed of at the admission stage itself. In the circumstances, no order as to costs.

Sd/ VICE CHAIRMAN

/mb/



TRUE COPY

प्रतिलिपि

N. S. S. 17.5.06

अनुभाग अधिकारी

Section Officer (Jud)

Central Administrative Tribunal

सुदाहारणी नगर, शिवाजी

C.I.W.

मुख्यालय, नवी मुंबई - 400 009

K.S. 17/5/06

-77-

ANNEXURE - C

To

The Chief Post Master General,
N.E. Circle, Shillong.

(Through Supdt. of Post Offices, Imphal)

Subject :- Request for keeping the order of transfer to Itanagar until completion of current Educational session of my Children is upto April, 07.

Reference : C.O. Memo No. Staff/584/SBCO/RT/2004 dated the 17th April, 2006, at Shillong.

Respected Sir,

The sudden untimely order of transfer to Itanagar (Arunachal Pradesh) has compelled me to disturb your esteemed and precious attention and seek for your kind intervention and sympathetic consideration with following compelling facts :-

2. That Sir, I am the mother of 3(three) Children. Out of that the last one is only 5 months old and suffering from chest problems. After delivery of the child on 27-9-05, the baby constantly remains suffering and during the intermediate period number of times she has been hospitalised with serious symptoms of chest diseases including Jaundice. Photocopies of a voluminous supporting documents marked 1 to 13 are enclosed for your kind perusal.

3. That Sir, my remaining two children are studying at Imphal and they are passing through middle of session of the Education Session. In case they are disturbed at this stage their Education carrier will be doomed and will effect their future prospectus. The Photo copies of Certificate granted by the School authorities are enclosed marked - 14 to 15 for favour of your kind ready reference.

4. That Sir, my husband is also working as P.A. in S.B.C.O. and his tenure at Imphal will complete in the 1st quarter of 2007. My present transfer to Itanagar alone will disturb my couple life and alone I shall be facing of tremendous difficulties in to look after the welfare of my children at Itanagar if I am to move alone.

H. K. Gagto
Certified to be true Copy
Advocate

24 APR 2006

IMPHAL-793001

29

- 18 -

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Hence, with the above genuine facts and circumstances I request your honour to kindly bestow your good wishes and cause to keep the order of transfer ^{in abeyance} till April, 2007 when the Education carrier of my Children will over and my small infant baby will also get recovery from her illness. At the time of my transfer it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed.

An immediate favourable action in the matter is solicited to avoid my mental anxiety which I am facing on receipt of above order of transfer from circle Office.

Yours faithfully,

Dated: 24-04-2006.

Th. Meena Devi.

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

Advance copy to :-

1. The Chief Post Master, General, N.E. Circle, Shillong for his kind information and immediate intervention as prayed for.
2. A.O.I.C.O. (S.B) O/O C.P.M.G. Shillong for information and similar action.

SD |

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

- 19 -

ANNEXURE - D

ANNUAL

006 MON 14:22

ChqfPMG*Shillong

FAX NO. 2223034

P. 01/01

Department of Posts
Office of the Chief Postmaster General, N.E Circle, Shillong 783001

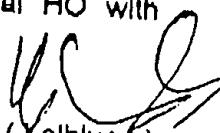
Memo No. Staff/SBCO/RT/2004

22 May, 2006

This is regarding representation from Smt. Th. Meena Devi, PA, SBCO, Imphal HPO for retention of tenure at Imphal after expiry of normal tenure.

The representation has been carefully considered. It has been decided that since the official has already completed her tenure at Imphal and also there are other staff who have asked for posting at Imphal, her representation stands rejected. This has disposed of CAT Guwahati order on OA No. 118 dated 15.5.2006

Smt. Th. Meena Devi, therefore, should be relieved from Imphal HO with immediate effect.


(Lahluna)
Postmaster General
N.E. Region
Shillong 783001

Copy to:

1. The Dy. SPOs, Imphal 785001
2. The Postmaster, Imphal HPO 785001
3. The Official Concerned
4. Spare

Certified to be true Copy.

H. K. Gagen
Advocate

32

ORDERSHEET

124/2006

Original Application No.

Misc. Petition No. 41

Contempt Petition No.

Review Application No.

Applicant(s) Smti. Th. Meena Devi

Respondents State of Assam

Advocate for the Applicant(s) Mr. B. Kalita, Smt. Advocate
Mr. B. K. Talukdar

Advocate for the Respondent(s) Chse.

Order of the Tribunal

Notes of the Registry

Date 26.05.2006

Present : Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

The applicant has challenged the transfer order dated 17.04.2006. Learned counsel for the applicant submitted that representation of the applicant has been rejected in a most irregular and arbitrary manner and without application of much mind. Learned counsel for the applicant has brought to my notice to the following paragraph of the representation :-

"Hence, with the above genuine facts and circumstances I request your honour to kindly bestow your good wishes and cause to keep the order of transfer in abeyance till Jan, 2007 when the Education carrier of my children will over and my small infant baby will also get recovery from her illness. At the time of my transfer, it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed."

Learned counsel for the applicant further submitted that atleast the applicant may be permitted to remain at Imphal till mid academic session

Contd/-

Certified to be true Copy.

H. K. Gogoi
Advocate

CA 124/06 - 24 -

Contd/-

26.05.2006 is over since her children are study-
ing.

I have heard Mr. M.K. Majumdar, learned counsel for the applicant and Mr. G. Baishya, learned Sr. C.G.S.C. for the respondents.

Learned counsel for the respondents submitted that her only children is studying in Class- I and nowhere in the C.A. it is stated that mid academic session starts from ^{January} June. He further submitted that notice may be issued to the respondents.

Issue notice to the respondents.
Post on 12.07.2006.

Considering the entire issue involved, as an interim measure, this Court directs that status quo as on today shall be maintained till the next date.

Sd/ VICE CHAIRMAN

TRUE COPY
प्रतिलिपि

N. D. D.
अनुभाग अधिकारी 26.5.06
Section Officer (Jugl)
Central Administrative Tribunal
गुवाहाटी न्यायालय
C.W. - II BENCH
गुवाहाटी, Gauhati-5

XLS 26/51°b

FROM NO. 4
(See Rule 42)

ANNEXURE : F

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERSHEET

Original Application No.

Misc Petition No.

Contempt Petition No.

Review Application No.

Applicant(s) Smt. TR Meena Devi

Respondents Union of India & ors.

Advocate for the Applicant(s) Adv. B. K. Talukdar

Advocate for the Respondent(s) C.G.S.C.

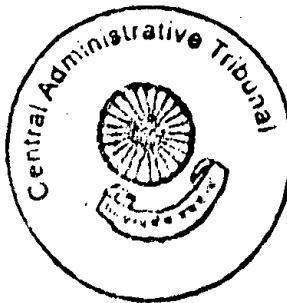
Notes of the Registry

Date

Order of the Tribunal

31.5.2006 Present: The Hon'ble Shri K.V. Sachidanandan
Vice-Chairman.

This Misc. Petition has been filed praying for specific direction in respect of interim relief that was granted by this Tribunal on 26.5.2006 passed in O.A. 124/2006. This Tribunal while disposing the earlier O.A. No. 113/2006 filed by the applicant vide order dated 15.5.2006 has directed the respondents to consider her representation with a further direction to keep the transfer order dated 17.4.2006 in abeyance in so far as the applicant is concerned till the disposal of the representation. Pursuant thereto Respondents have disposed of the representation of the applicant rejecting her prayer and aggrieved by the said rejection she has filed O.A. No. 124/2006 before this Tribunal. This Tribunal vide order dated 26.5.2006 in the said O.A. had directed the respondents to maintain status quo as on



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Certified to be true Copy.

H. K. Gogoi
Advocate

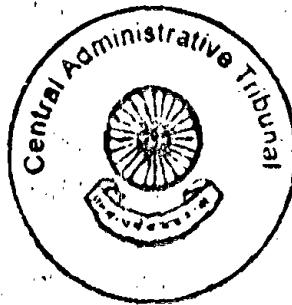
Contd.

31.5.2006 26.5.2006, till the next date i.e. on
12.7.2006.

Mr. M. K. Mazumdar, learned counsel for the applicant, drawing my attention to Annexure-MA/1 dated 22.5.2006 submits that pre-decision has been taken to relieve the applicant on 22.5.2006 well before the disposal of her representation on 24.5.2006. This, according to the applicant, is pre-determined and pre-conceived decision without due application of mind.

Mr. M. U. Ahmed, learned Addl. C.G.S.C. who appeared for the respondents in earlier O.A. No.113/2006 submits that he has not received copy of the M.P. Counsel for the applicant submits that copy has already been served upon Sr. C.G.S.C. Counsel for the applicant submits that she has not been physically relieved from the post since she was on leave and the other incumbent has not taken charge in her post. If this fact is true, applicant will be permitted to continue in the present post at Imphal till the next date.

Post the matter on 12.7.2006
alongwith the O.A. 124/2006.



Date of Application : 31/5/06
 Date on which copy is ready : 31/5/06
 Date on which copy is delivered : 31/5/06

Certified to be true copy

N S 32270
 31/5/06
 Section Officer (Judi)
 C. A. T. Guwahati Bench
 Guwahati 781005

Sd/ VICE CHAIRMAN

H. C. 31/5/06

(A)

-27-

ANNEXURE : G

IN THE C

ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Misc. Petition No. 50 of 2006.

In

Original Application No. 124 of 2006.

3b

Date of Order: This the 11th day of September 2006.

The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman.

Smt. Th Meena Devi,
W/o Shri L Priyokumar Singh
Qtr No. 2, Postal Colony,
Imphal HPO Complex,
P.O.: Imphal HPO
Distt. : Imphal West, State: Manipur.

Presently working as: Postal Assistant (SBCO),
Imphal H.P.O. - 795 001.

... Applicant

By Advocate Mr B.C. Pathak and Mr B.K. Talukdar.

Versus -

1. Union of India.
Through:-
The Director General (Posts),
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
2. The Chief Post Master General,
North Eastern Postal Circle,
Shillong - 793 001.
3. Shri Lalhluwa,
Post Master General,
N.E. Region, Shillong - 793 001.
4. The Director Postal Services,
Manipur, Imphal - 795 001.

... Respondents.

By Advocate Mr G. Baishya, Sr. C.G.S.C.

Certified to be true Copy.

H. K. Gogoi
Advocate

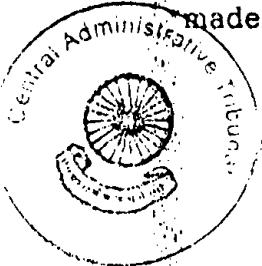
ORDER

32

K.V. SACHIDANANDAN (V.C.)

This Misc. Petition has been filed by the Applicant praying for "issue a specific direction to the Respondents that the transfer order dated 17/04/2006 (ANNEXURE - A/1 to the O.A.), as regards the transfer of the present applicant from Imphal to Itanagar, is kept in abeyance till such time as the Hon'ble Tribunal may deem proper. Otherwise, both the O.A., as well as the interim relief granted by the Hon'ble Tribunal in its order dated 26/05/2006 will remain as infructuous."

2. The fact of the case is that the Applicant has challenged the transfer order dated 17.04.2006. The Representation of the Applicant was rejected in a most irregular and arbitrary manner without Application of mind. In the representation, the Applicant has made the following passage:-


"Hence, with the above genuine facts and circumstances, I request your honour to kindly bestow your good wishes and Cause to keep the order of transfer in abeyance till Jan, 2007 when the Education carrier of my children will over and my small infant baby will also get recovery from her illness. At the time of my transfer, it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed."

It is borne out from the representation of the Applicant that she may not be disturbed till the mid academic session of the School till January 2007 since her first children is studying and the small infant baby will get recover from illness. This Court while hearing the O.A. on 26.05.2006 after considering varicous issues passed the following order:-

"Considering the entire issue involved, as an interim measure, this Court directs that status quo as on today shall be maintained till the next date."

3. When the matter came up for hearing on a subsequent date, learned Counsel for the Respondents submitted that the Applicant is on leave and the status quo order is maintaining by permitting her to continue on leave. It is quite obvious from the orders of the Tribunal mentioned above that the purport of the said order was to permit her to continue in the said post. It is also reported by the learned Counsel for the Respondents that the new incumbent has joined in her place and she has no other way to go. While so, this Petition was filed by the Applicant with the above prayer. This Court directed the Applicant to find out the vacancy, if available. The Applicant has filed an affidavit contending that in the advertisement notice "1" One post of Postal Assistant under the disposal of the Chief Postmaster General Shillong and "2" Two posts of Postal Assistant in Manipur Postal Division, Imphal against O.C. categories were shown for the year 2003-04. The vacant post still unfilled. In the affidavit it is also stated that eleven (11) vacancies are available according to her information and requested that she may be accommodated in one of the vacancies till December 2006.

4. On 31.08.2006, learned Counsel produced a letter dated 28.07.2006, which was issued by the Assistant Postmaster General, stating that there is no vacant post at Imphal HPO or in Manipur State and the copy of the said letter was kept on record. However, considering the submission made by the learned Counsel for the Respondents, this Court passed the following order: -

"However, considering the submission of the learned counsel for the respondents this Court is not convinced by the said letter of the Asstt. Post Master General (LC) dated 28th July, 06. Therefore, the Court directs that the Asstt. Post Master General (LC) to be present personally before this Court, on 5.9.06 to explain/Report whether there are vacancies which has been mentioned in the affidavit or not. Registry will also send a letter to the said authority forthwith."

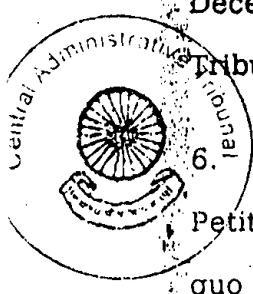
Finally when the matter came up on 05.09.2006, one of the Officer Smt. Sampalika Bhattacharjee, Assistant Director, Office of the Chief Postmaster General, N.E. Circle, Shillong was present before the Tribunal and she has also filed an affidavit stating that 11 vacancies that have been pointed by the Applicant, 10 vacancies belong to Postal Assistant operative category, whereas the Applicant belongs to SBCO category and though one (1) vacancy belongs to SBCO category, the Applicant is neither eligible to be posted as in-charge. SBCO, as she has not acquired such seniority, nor she applied for posting at Agartala Head Post Office. Therefore, it is cannot be considered to suit the Applicant and reiterated that there is no vacancy as such. But in the affidavit in support of the reply to the Misc. Petition it is also stated that "*Regarding the one (1) post of Postal Assistant (SBCO) the respondents beg to state that the same is under the disposal of CPMG, was declared vacant. The said post of Postal Assistant (SBCO) is meant for N.E. circle and not only for Manipur alone and the said post is allotted to Itanagar and the same is at present lying vacant in Itanagar.*" It is further stated that the Applicant never raised the question of her deputation to elsewhere within the State of Manipur. She never applied for the same and her deputation to elsewhere is not a matter that has been agitated and pleaded and not a matter of issue before this Tribunal, but in the

✓

Original Application the Applicant challenged the transfer order on the ground of academic mid session.

5. Two possibilities has come out in the affidavit, which are (i) the Respondents are empowered to keep the Applicant at Manipur on deputation basis and/or (ii) the vacancy said to be vacant at Itanagar under the disposal of Chief Postmaster General which is meant for N.E. Circle, not Manipur alone can also be shifted to Manipur at the discretion of the CPMG. It appears that the Chief Postmaster General can accommodate the Applicant at Manipur till December 2006. It is also ascertained from the Officer present in the

6. Considering the entire issue involved in this Misc. Petition, this Tribunal is of the view that the real purport of the status quo order dated 26.05.2006 was to accommodate the Applicant in the present station, and the Respondents cannot read the same in between the lines. Probably the Respondents' Counsel submission may be technically right in requesting the Applicant to continue on medical leave, interpreting the order of the status quo to the wisdom of the Respondents. But this Court never feels it fair and just and that interpretation cannot in its true spirit and purport of the Court Order. Therefore, this Court is of the view that Chief Postmaster General can shift the post to Manipur, which is under his disposal at present lying vacant meant for Itanagar and will accommodate the Applicant in that post till December 2006 and if not, the Respondents shall consider the Applicant to be accommodated at Manipur on deputation basis for which immediate representation/request shall be filed by the Applicant to the concerned Respondent. In any case, the prayer of the



Misc. Petition that the transfer order dated 17.04.2006 (Annexure - A1 to the O.A.) will be kept in abeyance so far the Applicant is concerned till the end of 2006 and the Applicant will be entitled for all consequential benefits.

The Misc. Petition stands allowed as above. In the circumstances, no order as to costs.

Sd/ VICE CHAIRMAN

TRUE COPY

प्रतिलिपि

N. S. S.
अनुभाग अधिकारी (3-9-66)

Section Officer (Adm)

Central Administrative Tribunal

गृहाधानी भवन, विराजमान

C.I.W. 100001
मुमाला नं. 1319

मुद्रा No. 1319

1319

Postal Colony, Imphal,
14th Sept 2006.

To

1. The Director General (Posts),
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
2. The Chief Post Master General,
N.E-Circle, Shillong - 793 001.
3. Shri. Lalhluana,
Post Master General,
N.E-Circle, Shillong - 793 001.
4. The Director Postal Services,
Manipur, Imphal - 795 001.

Sub: - Implementation of Hon'ble Central Administrative Tribunal, Guwahati Bench
Order dated 11th Sept 2006 in Misc. Petition No. 50 of 2006 in O.A No.124 of 2006.

Sir/Madam ,

A copy of Hon'ble CAT/Guwahati Bench order dated 11th Sept 2006 in Misc Petition No.50 of 2006 in O.A No. 124 of 2006 is submitted herewith for favour of immediate compliance. The order of the Hon'ble Tribunal is self-explanatory that the transfer order dated 17-04-2006 in respect of the undersigned from Imphal HPO to Itanagar HPO has been kept in abeyance up to the end of the year 2006.

2. As per Para-6 of the order, the Respondents have to accommodate the applicant in Manipur either by adjustment of vacant post or on deputation basis. It is therefore submitted that the undersigned is willing to be accommodated in Manipur either against any redeployed vacant post in SBCO or against any vacant post of Postal Assistants in Manipur Division on deputation basis.

3. Hence, it is requested that the order for accommodating the undersigned may kindly be issued without any delay.

Yours faithfully,

D/A: Copy of Hon'ble CAT/Guwahati Bench Order
dated 11th Sept 2006 in M.P No.50 of 2006
in O.A No.124 of 2006.

Th. Meena Devi,
14-9-06

(Th. Meena Devi)
Postal Assistant (SBCO),
Imphal HPO [On Leave].

Received the same copy.

Certified to be true Copy.

H. K. Gagan

Advocate



To,
The PostMaster,
Imphal H.O.

Sub: Implementation of Hon'ble Central Administrative
Tribunal, Guwahati Bench order dated 11-09-2006
in Misc.Petition No. 50 of 2006 in O.A.No. 124
of 2006.

AND

29/9/06
Imphal H.O. - 785001
11) Assumption of duty on expiry of Medical Leave
at Imphal H.O. as per verdict of aforesaid Hon'ble
CAT.

Madam,

A copy of CAT's order dated 11-09-2006 in
Misc.Petition No. 50 of 2006 is enclosed herewith.
The Hon'ble CAT espically and categorically
has order to accomodate the undersigned in Manipur
either against any redeployed vacant post in SBCO
or against any vacant post of Postal Assistant in
Manipur Division on deputation basis.

since I have already completed Medical Leave
and due date of joining is today.Iam submitting
herewith Charge report forms dully filled in for
allowing the undersigned to resume duty w.e.f.
29-09-2006 to aviod any further inconvenience
and hardship.

Encls:

1.Fitness Certificate.
2.4 copies of Charge Report forms.
3.Xerox copy of CAT's order dated 11-9-06.

Dated at Imphal
29-09-2006.

Your's faithfully,
Th. Meena Devi
(TH. MEENA DEVI)
P.A/S.B.C.O.
Imphal H.O.

Advance copy to:

The D.P.S., Manipur, Imphal for information
and immediate necessary action so as to
enable the undersigned to resume duty positively
by today's F/N. This is in continuation of her
application dated 14-09-06.

sd/-
(TH. MEENA DEVI)

Certified to be true Copy.

H.K. Gogoi
Advocate

To,

(F)

- 35 -

ANNEXURE : 34

The Chief Post Master General,
North Eastern Circle
Shillong.

(Through proper channel)

Subject: Implementation of Hon'ble Central Administrative Tribunal, Guwahati Bench order dated 11-09-2006 in Misc.petition No.50 of 2006 in O.A. No. 124 of 2006.

AND

11) Assumption of duty on expiry of Medical Leave at Imphal H.O. as per verdict of aforesaid Hon'ble CAT.

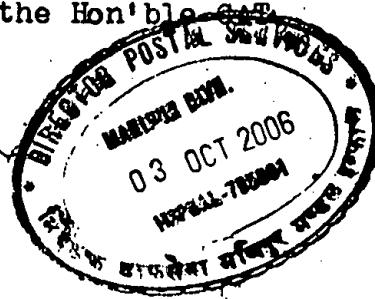
Sir/Madam,

The Hon'ble CAT, Bench at Guwahati while disposing of Misc.petition No. 50 of 2006 in Original Application No. 124 of 2006 filed by the applicant passed a clean order dated 11-09-06 as follows:

Para 6 of the order

Considering the entire issue involved in this Misc. Petition, this Tribunal is of the view that the real purport of the status quo order dated 26.05.2006 was to accommodate the Applicant in the present station, and the Respondents cannot read the same in between the lines. Probably the Respondents' Counsel submission may be technically right in requesting the Applicant to continue on medical leave, interpreting the order of the status quo to the wisdom of the Respondents. But this Court never feels it fair and just and that interpretation cannot in its true spirit and purport of the Court Order. Therefore, this Court is of the view that Chief Postmaster General can shift the post to Manipur, which is under his disposal at present lying vacant meant for Itanagar and will accommodate the Applicant in that post till December 2006 and if not, the Respondents shall consider the Applicant to be accommodated at Manipur on deputation basis for which immediate representation/ request shall be filed by the Applicant to the concerned Respondents. In any case, the prayer of the Misc.petition that the transfer order dated 17.04.2006 (Annexure- A1 to the O.A.) will be kept in abeyance so far the Applicant is concerned till the end of 2006 and the Applicant will be entitled for all consequential benefits.

11) That, the Hon'ble CAT while passing the aforesaid order directed the Applicant to file an immediate representation/ request to the Respondents for immediate accommodation on the line of verdict of the Hon'ble CAT.



Contd..2/-

Certified to be true Copy.

H. K. Gogoi
Advocate

iii) That, the Applicant in accordance with the above direction of the Hon'ble CAT submitted representation to all the Respondents including the Chief Postmaster General, Shillong on 14-09-2006 along with a copy of CAT's order dated 11-09-2006 which was transmitted both by Fax as well as by Speed-posts.

iv) That, the Applicant was thereafter expecting necessary order from the Chief Postmaster General, Shillong regarding her accommodation and assumption of duty at Imphal H.O. But no order of any kind what so ever was furnished to the Applicant either by Chief Postmaster General or by any other Respondents.

v) That, on expiry of Medical Leave on 28-09-2006 and again finding herself recovered from the illness the Applicant reported to Post Master, Imphal in the Forenoon of 29-09-2006 along with CAT's order, Fitness Certificate from attending Doctor and copies of Charge Reports showing assumption of duty at Imphal Head Post Office. But the Post Master, Imphal by ignoring the direction of the Hon'ble CAT instead of allowing the Applicant to resume duty forwarded her application to the next higher authority i.e. Director of Postal Services, Imphal. A copy of the application dated 29-09-2006 bearing remark and endorsement of Post Master, Imphal is enclosed for favour of ready reference and action in the part of Respondents.

Now, since the Hon'ble CAT has already made the Applicant entitled for all consequential benefits and the Applicant had already submitted the CAT's order as well as the copies of Charge Reports showing assumption of duty at Imphal, the Applicant is now entitled to be treated as on duty with all consequential benefits w.e.f. 29-09-2006 and the Respondents are accordingly to treat the Applicant as on duty w.e.f. 29-09-2006 to avoid any further inconveniences and hindrance to the Applicant.

Encls:

1. A copy of Hon'ble CAT's order dated 11-09-2006.
2. A copy of application dated 14-09-2006.
3. A copy of application dated 29-09-2006.

Your's faithfully,
M. Meena Devi
(TH. MEENA DEVI)
P.A/S.B.C.O.
Imphal H.O.

Dated at Imphal
30-09-2006.

Advance copy forwarded to:

1. Smt. P. Gppinath, C.P.M.G., Shillong for information and necessary action.
2. Sri. Lalhuna, P.M.G., Shillong for kind similar action.
3. Post Master, Imphal H.O. for needful action. Copies of Charge Reports have already been furnished to his office along with Applicant's representation dt. 29.09.06.
4. Deputy Registrar, Central Administrative Tribunal, Guwahati for kind information.

(TH. MEENA DEVI)

(G)

-37-

ANNEXURE : (K) 26

DEPARTMENT OF POSTS: INDIA
OFFICE OF THE DIRECTOR POSTAL SERVICES, MANIPUR, IMPHAL- 795001

NO B-17/ CAT/ OA- 124/2006

Dated at Imphal the 3/10/06

To

Smt. Th Meena Devi, PA, SBCO, Imphal HO-795001 now on leave.

Subject: - Your application dated 30/9/06

Your application dated 30/9/06 regarding the implementation of the CAT order dated 11/9/06 has been forwarded to the CO Shillong today for final decision. Your application dated 29/9/06 was also submitted on the same day for communicating the decision taken by the CO. This is for your information.

(A Kesava Rao)
Dy. Supdt. Of Post offices
Manipur, Imphal- 795001

Copy to: -
The Postmaster, Imphal HO- 795001 for information

Dy. Supdt. Of Post offices
Manipur, Imphal- 795001

Received on
05-10-06

Certified to be true Copy.

H. K. Gagor
Advocate

(H)

- 38 -

ANNEXURE : L

17

भारतीय डाक विभाग

DEPARTMENT OF POSTS: INDIA

FAX/Under Entry

कार्यालय मुख्य पोस्टमास्टर जारल, उत्तर पूर्व परिमंडल, शिलांग ७९३ ००१
OFFICE OF THE CHIEF POSTMASTER GENERAL, NORTH EAST CIRCLE, SHILLONG -793 001

No. Vig./LC-9/06 (CAT).

Dtd. at Shillong-1; the 4th October, 2006.

To
The Director Postal Services,
Manipur Division, Imphal- 795 001.

Subject: Implementation of the order of the Hon'ble CAT, Guwahati, dtd. 11.9.06, in MP No 50/2006 in O.A. No. 124 of 2006, filed by Smt. Th Meena Devi, P.A. (SBCO), on leave.

Reference: Your letter No. B-17/CAT/O.A. -124/2006 dtd. 29.9.06.

Sir,

On the captioned subject, I am directed to inform you that, the Department has decided to file appeal in the Hon'ble High Court, Guwahati, against the order of the Hon'ble CAT, Guwahati, dtd. 11.9.06 in M.P. No. 50/2006 in O.A. No. 124 of 2006, filed by Smt. Th Meena Devi, P.A. (SBCO), on leave.

In view of the above and in view of non-availability of any vacant post in the cadre of P.A. (SBCO), at Imphal H.P.O., at present, it may not be proper to allow Smt. Th Meena Devi, P.A. (SBCO), on leave, to resume duty at Imphal H.P.O., at present.

Necessary action may kindly be taken accordingly.

Yours faithfully.

sd/-
Asstt. Director (Legal Cell)
for Chief Postmaster General.

~~Registered~~

Copy to: Smt. Th. Meena Devi, Postal Asstt.(SBCO) on leave at Postal Colony, Imphal. This disposes her representation dtd. 14.9.06 & 30.9.06.

11/10/06
Asstt. Director (Legal Cell)
for Chief Postmaster General.

*Received on
11/10/06.*

Certified to be true Copy.

H.K. Gogoi
Advocate

11

प्रतिलिपि की निराकार तिथि Date of application for copy	आवश्यक और जोखिमो की अपेक्षित संख्या सुचित करने की तिथियाँ Date fixed for notifying the requisite number of stamps and file nos.	अपेक्षित स्टाम्प और जोखिमो देने की तारीख Date of delivery of the requisite stamps and file nos.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date, as, which the copy was ready for delivery.	तारीख Date of making over the copy to the applicant.
21/12/06	21/12/06	21/12/06	22/12/06	22/12/06

IN THE GAUHATI HIGH COURT
(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

Appeal from
Civil Rule

2006 P (C) No. 6152 of 2006

Appellant
Petitioner

Union of India & ors

VS

Smt. Th. Meena Devi

Respondent
Opposite Party

Appellant
For
Petitioner

Mr. Asifur Rahman
Assistant Solicitor General of India

Respondent
For
Opposite Party

PS.

Certified to be true Copy.
H. K. Gogoi
Advocate

(2)

49

IN THE MATTER OF :

1. Union of India, through the Director General (Posts), Dak Bhawan, Sansad Marg, New Delhi- 110 001.
2. The Chief Post Master General, North Eastern Postal Circle, Shillong-793001.
3. Shri Lalhluna, Post Master General, N.E.Region, Shillong- 793. 001.
4. The Director, Postal Services, Manipur, Imphal -795 001.

.. PETITIONERS

- Versus -

✓Smt. Th Meena Devi,
W/O Shri L. Priyokumar Singh,
Qtr. No.2 - Postal Colony,
Imphal HPO-Complex,
P.O. Imphal HPO,
Dist- Imphal West, State : Manipur.
Presently working as : Postal Assistant
(SBCO), Imphal H.P.O. - 795 001.

... RESPONDENT
(APPLICANT).

3.

(3)

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4

WP(C) No. 6152/2006..

BEFORE
THE HON'BLE MR JUSTICE D. BISWAS
THE HON'BLE SMT. JUSTICE A. HAZARIKA
18.12.2006.

Heard Mr H. Rahman, learned Asstt. Solicitor General of India for the writ petitioners and also Mr BC Pathak, learned counsel for the respondent.

This writ petition has been filed challenging the order dated 11.9.06 passed by the learned Central Administrative Tribunal, Guwahati Bench, Guwahati in Misc Petition No.50/06. By this judgment, the learned Tribunal has directed the respondent authority to shift the post now held by the applicant from Imphal to Itanagar.

Mr Rahman, learned ASGI submits that the learned Tribunal acted beyond jurisdiction in directing shifting of the post which is purely a policy matter exclusively within the domain of the administration and such a direction is not sustainable in law.

Mr Pathak, learned counsel, on the other hand, submitted that the applicant is ready and willing to comply with the transfer order dated 17.4.06 whereby she has been transferred from Imphal to Itanagar. Presently she is not in a position to move because of the ongoing academic session of her children and also for the reason that she has a baby aged about 7 months. However, Mr Pathak, learned counsel submits that the applicant will move to Itanagar in compliance with the order of transfer in the last part of the month of January, 2007.

In view of above submission of the learned counsel, we set aside the order in so far it relates to shifting of the post from

(4)

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4
			<p>Imphal to Itanagar is concerned. Further, we observe that the applicant shall be allowed to move to Itanagar by the end of January, 2007 and till then, she should be allowed to continue at Imphal against any available vacancy.</p> <p>The writ petition accordingly stands disposed of.</p> <p>No costs.</p>

Sd/- A. Hazarika
Judge

Sd/- D. Biswas
Judge

Sl. No. 66420
21.12.06

CERTIFIED TO BE TRUE COPY
.....
Date.....
Superintendent(Copying Section)
Gauhati High Court
Authorised U/S. 76, Act 1, 1872

22/12/06
PS
22/12/06

To,

The Deputy Supdt. of Post Offices,
Manipur: Imphal.

L

Sub: Non-payment of Monthly Salary w.e.f. 29-09-2006.
causing great hard-ship and inconveniences in
maintaining day to day family life.

Ref: I. Hon'ble CAT's direction dated 11-09-2006 in
respect of Misc. Application No.50/2006 and
O.A. No. 124/2006.
II. My application dated 29-09-06 and dated 30-09-06.

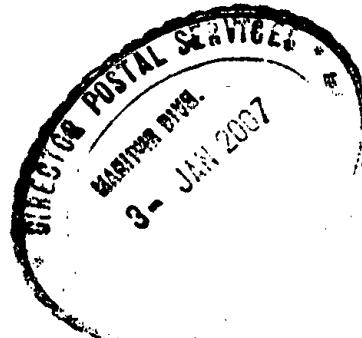
Sir,

I beg to state that the copies of my above applications which had already been submitted to your good office are self-explanatory and crystal evidence that as per direction of the Hon'ble CAT referred to above I had already submitted copies of Charge-Reports showing assumption in duty at Imphal H.O. on 29-09-06(Forenoon). There after, I had been continuously attending head office for duty. In accordance with specific direction of the Hon'ble CAT by allowing my continuation at Imphal Head Office, I ought to have been assigned with official duty. But instead of doing so the Post Master, Imphal forwarded my application along with Charge-Reports to your good office on the same day i.e. 29-09-2006.

In the mean while the Office of Chief Post Master General in letter No. Vig/LC-9/06(CAT) dated 04-10-06 intimated that they have decided to file an appeal in the High Court, Guwahati against the order of the Hon'ble CAT dated 11-09-06. But now it is learnt that the Hon'ble High Court, Guwahati Bench has disposed off the above impunged appeal upholding the direction of Hon'ble CAT and have allowed to continue me at Imphal head office till the end of January'2007.

Since, both the Hon'ble CAT as well as the Hon'ble High Court, Guwahati have allowed me to continue at Imphal Head Office till the end of this Month and thereafter, I shall have to proceed to the place of posting. But due to non-receipt of my monthly salary since 29-09-06 I have fallen in debt of huge amount of others for maintaining my family affairs including the education of my children and medical treatment of my sick small baby and unless the entire amount debited is cleared I shall not be allowed by the debtors to leave Manipur for my new place of posting.

Received the
same copy.
John S
02/10/06
Received
A. M.
H.K. Gagni
Advocate



Contd...2/-

Certified to be true Copy.

H.K. Gagni
Advocate

--:2:--

I therefore, earnestly request to issue necessary direction to Post Master, Imphal to make arrangement of immediate payment of my monthly salary w.e.f. 29-09-2006.

A copy of order of the Hon'ble High Court, Guwahati Bench dated 21-12-2006 is also enclosed as a ready reference and further disposal by your office.

Dated at Imphal
30-12-2006.

Yours' faithfully,
Th. Meena Devi
(TH. MEENA DEVI)
P.A/ SBCO, Imphal.

Copy to:

- I. Chief Post Master General, Shillong for information and kind immediate action on the facts stated above.
- II. The Post Master, Imphal is requested to refer my application dated 29-09-2006 accompanied with copies of Charge-Reports and arrange immediate payment of my monthly salary w.e.f. 29-09-2006.

2/2
(TH. MEENA DEVI)
P.A/ SBCO, Imphal.

DEPARTMENT OF POSTS: INDIA

OFFICE OF THE CHIEF POSTMASTER GENERAL N. E. CIRCLE: SHILLONG-793 001.
File No. Staff/95-50/93.

Dated at Shillong the 24th Jan. 2007.

Under Entry

Chief Postmaster General N.E.Circle Shillong is pleased to issue the following order to have immediate effect:-

1. Srimati Th.Meena Devi, PA SBCO (designated), Itanagar HO (now on leave) is hereby allowed to join as PA Imphal HO in vacant post with immediate effect. She will exchange necessary charge report as PA Imphal H.O. She will work as PA Imphal H.O. upto 31-01-07.

2. Smt. Th.Meena Devi, PA SBCO is hereby posted as PA (SBCO) Itanagar H.O. in the vacant post. She will proceed to Itanagar in first week of Feb'07.

3. The above orders are issued in pursuance of order dtd. 08-01-07, passed by Hon'ble Guwahati High Court in case W.P.(C) 6152 of 2006 between U.O.I Versus Th. Meena Devi.

4. The intervening period from the date of relief of the official from SBCO Imphal H.O. till her rejoining as PA Imphal H.O. will be regularized by granting of leave admissible to her as and when applied for.

Sd

(S. Bhattacharjee)
Asstt. Director (Staff)

Copy to :-

- 1. The Dy. Supdt. of PO's Imphal H.O. for information and r/a.
- 2. The Postmaster Imphal H.O.
- 3. The Accounts Officer, AO, ICO (SB) O/O CPMG, Shillong.
- 4. Smt. Th. Meena Devi, PA (designate) Imphal H.O.
- 5. The DPS. Itanagar for information and r/a.
- 6. The Postmaster Itanagar.
- 7. The Supervisor SBCO Imphal / Itanagar.
- 8. The ASR (Vig. Section) C.O. Shillong.
- 9. File No. Staff/584/SBCO/ RT/2004.
- 10. Office Copy.


24/1/07

For CPMG N.E. Circle
Shillong - 793001.

Certified to be true Copy.

H. K. Gogoi
Advocate



DEPARTMENT OF POSTS:INDIA.
OFFICE OF THE DIRECTOR POSTAL SERVICES:MANIPUR DIVISION
IMPHAL-795001.

No.B-2/Th. Meena Devi

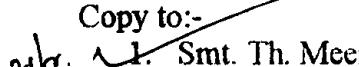
Dated at Imphal the 29-01-2007.

As per the orders contained in C.O. Shillong memo No. Staff/95-50/93 dtd. 24-01-07, the undermentioned orders are issued with immediate effect.

1. Smt. Th. Meena Devi, Ex PA SBCO is hereby posted as PA Imphal HO in the vacant post with immediate effect. She will work in Imphal HO up to 31-1-07. She will exchange necessary charge reports immediately.
2. Smt. Th. Meena Devi PA will proceed to Itanagar in the first week of Feb-2007.
3. The above orders are issued in pursuance of order dtd. 08-01-07 passed by Hon'ble Guwahati High Court in case W.P.(C) 6152 of 2006 between U.O.I Versus Th. Meena Devi.
4. The intervening period from the date of relief of the official from SBCO Imphal H.O. till her rejoining as PA Imphal HO will be regularized by granting of leave admissible to her as and when applied for.


 (A. Kesava Rao)
 Dy. supdt. of Post Offices
 Manipur Divn, Imphal-795001.

Copy to:-

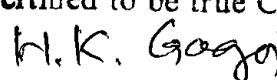


1. Smt. Th. Meena Devi PA, Postal Qtr. Imphal HO complex for information & necessary action.
2. Postmaster Imphal H.O.
3. The Accounts Officer AO ICO(SB) O/O the Chief PMG Shillong.
4. The DPS, Itanagar for information.
5. Postmaster, Itanagar H.O.
6. The Supervisor SBCO Imphal H.O.
7. The Chief Postmaster General (Staff) N.E. Circle Shillong w.r.t. CO letter No. Staff/95-50/93 dtd. 24-1-07 for favour of information.
8. O/C.



(A. Kesava Rao)
 Dy. supdt. of Post Offices
 Manipur Divn, Imphal-795001.

Certified to be true Copy.


 Advocate

प्रधान प्रभारी
A.O.G.M. & S.P.C.
POSTMASTER & STAMP OFFICER
ITANAGAR-101 113

M-1

भारतीय डाक विभाग
DEPARTMENT OF POST, INDIA

(देखिए नियम 267, डाक्तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)
(See Rule 267, Post and Telegraphs Financial Hand Book, Volume-I.
Second Edition)

चार्ज की घटली पर भार्ज रिपोर्ट और नकदी और टिकटों की रसीद
Charge Report and Receipt for each and satmps, on transfer of charge

प्रलापित किया जाता है कि
Certified that the charge of the office of P. A / SBCO,

चर्ज assumed (नाम) ने
was made over by (name) TH. MEENA DEVI, against
the vacant post.

(नाम) को
to (name)

रखान
at (place) ITANAGAR

सारीख को पूर्णांगमे में
अपराह्न

on the (date) 10-02-07 for noon in accordance with DPS,
B-2/TH. Meena devi dt. 29¹/₀₇ from DPS, Imphal
सं. ग्रामीण के अनुसार है दिया।
No. Staff/95-50, dated 24-01-2007 from C.O'S, Shillong

मारमुक्त अधिकारी
Relieved Officer

✓ Th. Meena devi
मारमाही अधिकारी
Relieving Officer

[कृपूरा
[P.T.O.

Certified to be true Copy.

H. K. Gogoi
Advocate

*प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के अकाउंट स्टॉक पुस्तक और रजिस्टर्स समेत) और लेखांकों की और जाच की और उन्हें ठीक पाया।

*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

*प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे मारमुक्त अधिकारी ने सौंप दिए और मैं इनके लिए जिम्मेदार हूँ।

*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु० पै०
Rs. P.

(अ) नकदी/Cash

(ब) अग्रदाय टिकट/Stamp Imprest

जिसमें ये शामिल है :—

Made up of :—

(1) टिकट/Stamps

(2) नकदी/Cash

भारमुक्त अधिकारी
Relieved Officer

भारम्प्राही अधिकारी
Relieving Officer

तारीख 19
Dated 19

Forwarded to..... Self को भेजा गया।

*जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।

*The Certificate when not actually required may be scored through.

[28-90/68-MII]

I.P.P.M.SDP/L-25/Ptg. 92 dt. 30-1-92 10 Lacs



पोस्ट और टेलीग्राफ विभाग
A.C.G. 61 DEPARTMENT OF POSTS INDIA

(ट्रेडिंग नं. 267, पोस्ट और टेलीग्राफ - तार वित्त पुस्तका का खण्ड 1. द्वितीय संस्करण)

(See Rule 267, Posts and Telegraphs Financial Handbook, Volume 1, Second Edition)

चार्ज को बदली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि का

Certified that the charge of the office of P.A./S.B.C.O.

चार्ज (नाम) में

~~Relinquished~~ was made over by (name) TH. MEENA DEVI.

(नाम) को स्थान

to (name) at (place) Imphal

तारीख को पर्वान्ग में

on the (date) 31-01-07 at noon in accordance with DPS,

सं. नं. तारीख Dated 29/01/07 के अनुसार दे दिया।
No. Dated from DPS, Imphal.

B-2/Th. Meena Devi, dt. 29/07
Staff/95-50/पुलिस अधिकारी-07 त्रिमुखी, असम
Relieved Officer Relieving Officer

✓ Th. Meena Devi (कृपया पृष्ठ उलटिये)
(P. T. O)

Certified to be true Copy.

H. K. Gogoi
Advocate

* प्रमाणित किया जाता है कि भाज्ज के दिन हस कार्यालय की अनेक पुस्तकों के बकाया (स्टॉक पुस्तक और ऐंजिस्ट्रेटें संग्रह) और लेखाऊं की संख्या की ओर अच्छे टीक याया।

* Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

* प्रमाणित किया जाता है कि विज्ञलिखित बकाया युक्त भारमुक्त अधिकारी ने सोंप दिए और मैं हनकें लिए जिम्मेदार हूँ।

* Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

	रु०	पै०
(क) नकदी / Cash	Rs.	P.
(ख) अवधाय टिकट / Stamp Imprest		

जिसमें ये शामिल है :-
Made up of :-

- (1) टिकट / Stamps
- (2) नकदी / Cash

भारमुक्त अधिकारी
Relieved Officer

आरीकाही अधिकारी
Relieving Officer

गाडीगत
Dated the 200
Forwarded to 200 " 5.6.1960 को भेजा गा।
जस प्राप्ति तो वापस भेजा जाए।

* The Certificate when not actually required may be scored through.

-51 -

ANSWER:

60

To

The Deputy Supdt of Post Offices,
O/o the Director Postal Services,
Manipur, Imphal - 795 001.

Sub: - Prayer for clarifying certain issues involved in DPS-Office order No.B-2/Th Meena Devi Dated 29-01-2007 & grant of TA-Advance.

Ref: - DPS-Office, Imphal Order No.B-2/Ih. Meena Devi dated 29-01-2007.

Sir,

I have received the order referred to above only at 16:50 Hours in which I have been ordered to join as P.A., Imphal HPO up to 31-01-2007. 30-01-2007 is a Holiday, and I can work at Imphal HPO only one day on 31-01-2007.

2. I am willing to proceed to Itanagar, but I have not been granted any TA-Advance yet. I therefore request you to grant the admissible TA-Advance for my transfer from Imphal to Itanagar.

3. In Para-4 of your letter, it is ordered that 'the intervening period from the date of relief from SBCO, Imphal HO till rejoining as P.A., Imphal HPO will be regularized by granting of leave admissible'. Here, I would like to know the provision of rule under which the period can be regularized as leave admissible.

4. I shall be grateful if you kindly intimate/clarify the rule under which the intervening period can be regularized as leave for further necessary action in the matter.

Yours faithfully,

Place : Imphal
Date : 29-01-2007

Th. Meersa om

(Th. Meena Devi)

P.A., SBCO.,

Now at: Old Postal Colony,
Imphal - 795 001.

John G
29/01/02



Certified: W. H. Murphy

H. K. Geiger

Advantages