

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH.

Original Application No. 512 of 2005

Jabalpur, this the 27th day of May, 2005.

Hon'ble Mr. Madan Mohan, Judicial Member

R.P. Mishra S/o Late Shri R.S. Mishra
Age about 57 years working as SPM
Jamuna Colliery, Distt-Shahdol

Applicant

(By Advocate – Ku. Malti Dadariya)

V E R S U S

1. Union of India
Through Secretary
Ministry of Post
Sansad Marg, New Delhi.
2. Chief Post Master General
Deptt. Of Post
M.P. Circle, Bhopal
3. Superintendent of Post Offices
Shahdol Division, Shahdol.
4. B.B. Narnaware
Sub-post Master
Presently working as – APM(M)
Head Post Office, Shahdol (M.P.)

Respondents

O R D E R (Oral)

By filing this Original Application, the applicant has sought the following main relief :-

- (1)to set – aside & quash the transfer order dated 19.5.2005 so far it relates to the applicant as well as respondent no.4.”
2. The brief facts of the case are that the applicant was initially appointed in the year 1967 as a postal clerk and had worked as such at various places. Subsequently he was promoted as Sub Post Master in



the year 1976. According to the applicant, he has applied for request transfer under compelling family circumstances as he intended to construct his own house at Jamuna Colliery for which his presence is necessarily required at this place. Not only this the marriage of his children was to be performed. The applicant states that as per the policy of the department of post, the normal tenure for transferring an employee on administrative ground is four years. Vide order dated 19.5.2005 (Annexure-A-1) the applicant has been transferred from Jamuna Colliery to Rajendragram. The applicant has made a representation dated 24/25.5.2005 (Annexure-A-2) for cancellation of the transfer order. Till now the respondents have not taken any decision on the aforesaid representation of the applicant. Hence, this Original Application.

3. Heard the learned counsel for the applicant and perused the pleadings carefully.

4. The learned counsel for the applicant has stated that the applicant will be satisfied if the respondents are directed to consider and decide the aforesaid representation dated 24/25.5.2005 (Annexure-A-2) of the applicant

5. Considering all the facts and circumstances of the, I direct the respondents to consider the aforesaid representation of the applicant dated 24/25.5.2005 (Annexure-A-2) and take a decision by passing a speaking, detailed and reasoned order within a period of one month from the date of receipt of a copy of this order. Till the aforesaid representation is decided by the respondents, the applicant will not be disturbed from his present place of posting. The applicant is directed to furnish a copy of this order alongwith a copy of this ^{20.4.12} immediately to the respondents.



6. With the above directions, the OA stands disposed of at the admission stage itself.

(Madan Mohan)
Vacation Judge

पूठांकन से ओ/न्या.....जबलपुर, दि.....

पत्तिलिपि आगते विषय:-

- (1) सचिव, उच्च न्यायालय एवं अधिवक्ता, जबलपुर
- (2) आवेदक श्री/श्रीमती/शु.....के कारागार
- (3) प्रत्यक्षी श्री/श्रीमती/शु.....के कारागार
- (4) गंयपाल, के.प्र.अ., जबलपुर के कारागार

सूचना एवं आवश्यक कागजातों के साथ
उप रजिस्ट्रार

Kv. Chalki Dadayr HCJBN

Filed
on
30/5/05