

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 1014 of 2005

Jabalpur, this the 25th day of October, 2005

Hon'ble Shri Madan Mohan, Judicial Member

Dr. D.R. Manwatkar & another. Applicants

(By Advocate – Shri S. Paul)

V e r s u s

Union of India & 4 others. Respondents

ORDER (Oral)

By M.P. Singh, Vice Chairman -

By filing this Original Application the applicants have claimed the following main reliefs :

“(ii) set aside the impugned transfer order dated 1.7.2005 Annexure A-1 and order dated 26.9.2005 Annexure A-2,

(iii) command the respondents to continue the applicants at the present place of posting i.e. P&T Dispensary No. 2 in respect of Applicant No. 1 and P&T Dispensary No. 3 in respect of applicant No. 2,

In-alternatively

command the respondents to continue the applicants at the present place of posting i.e. P&T Dispensary No. 2 in respect of Applicant No. 1 and P&T dispensary No. 3 in respect of applicant No. 2 till 31.3.2006 as done in the cases of similarly situated employees.”

2. The brief facts of the case are that the applicant No. 1 is the husband of applicant No. 2 and both the applicants are working on the post of CMO at Postal Dispensaries. They are ordered to be transferred vide order dated 11.7.2005 (Annexure A-1) to two different destinations i.e. applicant No. 1 is transferred to Berhampur and applicant No. 2 at Raipur, Chhattisgarh. They have filed representations dated 14.7.2005 and 19.7.2005 but they were not considered. The applicants have filed another detailed representation



dated 17.10.2005 (Annexure A-7) which is still pending with the respondents for consideration.

3. Heard the learned counsel for the applicants. He has drawn my attention towards Annexure A-2 dated 26.9.2005, whereby the transfer orders of Dr. R.N. Pradhan and Dr. M.M. Sahu who are similarly situated employees to that of the applicants, were cancelled by the respondents. The posts are still lying vacant at Jabalpur. Hence, both the applicants can be accommodated here till the end of this academic session because their children are studying in different schools. The respondents may be directed to consider and decide the said representation of the applicants dated 17.10.2005 (Annexure A-7) and till the same is decided the applicants be not disturbed from the present place of posting.

4. Considering all the facts and circumstances of the case, I am of the considered view that ends of justice would be met if I direct the respondent No. 2 i.e. the Member (Personnel), Department of Posts, Dak Bhawan, Sansad Marg, New Delhi to consider and decide the said representation of the applicants dated 17.10.2005 (Annexure A-7) by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a copy of this order. I do so accordingly. Till the said representation of the applicants dated 17.10.2005 (Annexure A-7) is considered and decided by the respondent No. 2, they will not be disturbed from the present place of posting. The learned counsel for the applicants is directed to send a copy of this order as well as the copy of this petition to the respondent No. 2 immediately.

5. Accordingly, the Original Application stands disposed of at the admission stage itself.

6. The Registry is directed to supply the copy of memo of parties to the concerned parties while issuing the certified copies of this order.


(Madan Mohan)
Judicial Member