

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 66 of 2004

Jabalpur, this the 21st day of January, 2004.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. G. Shanthappa, Judicial Member

K.P. Sayalwar,
aged about 36 years,
Postal Assistant, Sainkheda,
District Narsinghpur(M.P.) APPLICANT
(By Advocate - Shri Rajendra Shrivastava)

VERSUS

1. Union of India,
Through its Secretary,
Postal Department,
Dak-Bhawan, New Delhi.
2. Chief Post Master General,
M.P. Circle, Bhopal(M.P.)
3. Senior Superintendent of
Post Officer, Hoshangabad(M.P.) RESPONDENTS

O R D E R (ORAL)

By M.P. Singh, Vice Chairman :-

By filing this OA, the applicant has sought for a direction to the respondents not ^{to} effect the transfer dated 17.12.03(Annexure-A-1) till the end of this current academic year 2003-04 i.e. till April, 2004.

2. The brief facts of the case are that the applicant is working as Postal Assistant at Sainkheda. He has been transferred to Hoshangabad vide order dated 17.12.2003. The applicant has made a request to stay the operation of the transfer order till ^{the} end of the present academic session. The respondents have not accepted his request.

2. Heard the learned counsel for the applicant and perused the pleadings and record.


3. The learned counsel for the applicant states that the children of the applicant are studying in school at Shinkheda ^{it is} therefore not possible for applicant to shift his family from Shainkheda to Hoshangabad. Therefore, ^{my}

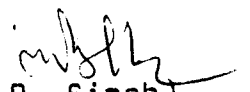
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only request is that to hold the transfer order dated 17.12.03 till the end of the present academic session. He has submitted a representation in this regard which has been turned down by the respondents.

4. We deem it fit to direct the respondents even without issuing notices to them not to effect the transfer order of the applicant dated 17.12.03 till the end of April, 2004 i.e. end of the present academic session. While passing this direction we are supported by the judgment of Hon'ble Supreme Court in the case Director of School Education Madras & Ors Vs. Karuppa Thevan and another 1994 Supp.(2) SCC 666

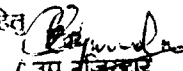
5. The OA is disposed of with the above direction at the admission stage.


(G. Shanthappa)
Judicial Member

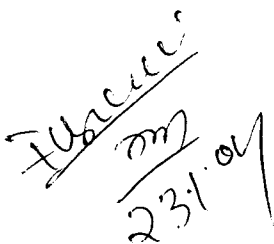

(M.P. Singh)
Vice Chairman

SKM

पूरांकन सं ओ/न्या.....जबलपुर, दि.....
प्रतिदिनरि वापस मिलत:-
(1) सचिव, जबलपुर न्यायालय, जबलपुर
(2) आवेदन प्रारंभिक न्यायालय, जबलपुर
(3) प्रत्यक्ष न्यायालय, जबलपुर
(4) न्यायालय, जबलपुर, जबलपुर
सूचना एवं आवश्यक कार्यवाही हेतु


23/1/07

Shri R. Shrivastava H. C. S.
All Respondents - + pehha copy


23/1/07