

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 907 of 2003

Jabalpur, this the 9th day of March, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

K.P. Dahiya, S/o Shri Ganesh Prasad
Dahiya, aged about 47 years, Postman,
Sub-Post Office, Vindhya Nagar, Distt.
Sidhi(M.P.)

APPLICANT

(By Advocate - None)

VERSUS

1. Union of India Through
Superintendent of Post Office,
Post Office, Shahdol, Distt. Shahdol
(M.P.)
2. Sub-Divisional Inspector(Post Office)
Sub-Division - Waidhan, Vindhya Nagar,
Distt. Sidhi(M.P.)

RESPONDENTS

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA the applicant has sought a direction to the respondents for payment of compensation amount of Rs. 50,000/- to him for the harassment and mental agony.

2. The brief facts of the case are that the applicant was working as Postman, He was transferred from Vindhya Nagar as Over-seer Mail to SDI(P) Waidhan. He had earlier filed an OA No. 244/02 challenging his transfer order dated 17.7.2001. Tribunal vide order dated 29.4.2002 directed the respondents to consider and decide the representation of the applicant. The applicant has now filed the present OA stating that as a result of his transfer, he ~~applicant~~ has undergone mental agony and has been harassed by the respondents. For this, he has to be paid Rs. 50,000/- as compensation. He has also stated that he was compelled to take loan to meet out his expenditure.

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2. ^{u/s} None was present on behalf of the applicant, at the time of admission of this case. We are disposing of this provisions of OA by invoking Rule 15 of Central Administrative Tribunal (procedure) Rules, 1987.

3. We find that this is not a proper forum to claim compensation for mental agony in view of the decision of the Hon'ble Supreme Court in the case of ^{H.} Dr. Mukherjee vs S.K. Bhargava, (1996) 4 SCC 542. In the said case their Lordships have held that the CAT is not competent to adjudicate a claim pertaining to compensation for harassment. In this view of the matter, the claim of the applicant for grant of compensation is not maintainable in this Tribunal. The OA is accordingly dismissed. The applicant is, however, at liberty to approach the proper forum.


(Madan Mohan)

Judicial Member


(M.P. Singh)

Vice Chairman

SKM

प्रतिक्रिया नहीं दी गयी। दिनांक: 21.3.2004

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