

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 20th day of September, 2010

ORIGINAL APPLICATION NO. 424/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Mr. Manohar Lal Pipliwal son of Shri Sedhi Ram by caste Raigar, aged about 39 years, resident of Village and Post Sheopur, Thesil Sanganer, Presently working as Deputy Post Master, Jaipur Fgn. Post Office, Jaipur.

.....Applicant

Applicant present in person.

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Post. Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Senior Superintendent Post Offices, Jaipur City Dn. Jaipur.

.....Respondents

(By Advocate: -----)

ORDER (ORAL)

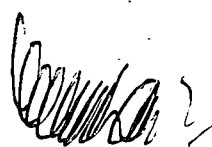
Heard the applicant present in person.

2. The applicant has been reverted to the post of HSG II and consequently, he has been posted to APM Shahpura Head Office. The applicant present in person submits that he has been working in Jaipur since 1991 in different capacities. The applicant has prayed that impugned order dated 15.09.2010 (Annexure A/1) be quashed and the applicant be allowed to work against HSG-II post in Shasti Nagar Post Office or against any vacant post in Jaipur City. At the outset, it may be stated that applicant has not made any grievance regarding his reversion to the post of HSG-II from higher post of HSG-I vide impugned order dated 15.09.2010 (Annexure A/1). Consequent upon the reversion of the applicant, he has been posted as APM Shahpura HO. Thus in the absence of any challenge of the reversion ^{order} vide

impugned order (Annexure A/1), the same cannot be quashed. Further, it is not permissible for this Tribunal to give mandatory relief thereby directing the respondents to give posting to the applicant on the reverted post of HSG II cadre in Jaipur Division, Jaipur as the applicant has no legal right to be posted at a place of his choice as transfer is an incident of service. Personal difficulties is a matter to be considered by the administrative authority. The applicant has also made a representation dated 16.09.2010 (Annexure A/2) to the Chief Post Master General, Rajasthan Circle, Jaipur [Respondent No. 2] thereby highlighting his grievances including the grievance that he may be allowed to work in Jaipur City till the academic session of his children is over.

3. In view of what has been stated above and the fact that who should be transferred where is a matter to be considered by the administrative authority and it is not permissible for this Tribunal to interfere in such matter more particularly when no clear-cut case of mala fide has been made out, no interference is called for save and except that respondent no. 2 shall decide the representation of the applicant dated 16.09.2010 (Annexure A/2) expeditiously and in accordance with law.

4. With these observations, the OA is disposed of at admission stage with no order as to costs.


(M.L. CHAUHAN)
MEMBER (J)

AHQ