

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/00410/2017

DATED THIS THE 20TH DAY OF APRIL, 2018

HON'BLE DR K.B. SURESH, MEMBER(J)

National Association of Postal Employees Group-C
Represented by its Secretary,
Sri Umesha H.N.
S/o Ningachar
Aged about 42 years
Working as Sub Postmaster
Alur Sub Post Office
Hassan District.

...Applicant.

(By Advocate Shri B. Veerabhadra)

Vs.

1. The Superintendent of Post offices,
Hassan Division
Hassan 573 201

2. The Postmaster General
South Karnataka Region
Bangalore -1

3. The Chief Postmaster General
Karnataka Circle,
Palace Road
Bangalore – 1

4. The Union of India
Ministry of Communications & IT.
Department of Posts
Rep by its Secretary,
Dak Bhavan, Sansad Marg.
New Delhi – 110 001.

5. Sri Nagendra
S/O Not known to the applicant
Member, Transfer & Placement Committee &
Supdt of Post Offices
Madikeri Division
Madikeri

6. Smt Rekha
W/o not known to the applicant
Member, Transfer & Placement Committee &
Asst. Superintendent of Post Offices (H.Q.)
Hassan Division
Hassan-573 201.

7. Smt Chandrika Vasanth Kumar
O.A, Divisional Officer
Hassan

8. Sri Ramakrishna HK
O.A, PSD
Arsikere

9. Smt Meenakshi H S
SPM, District Office,
Hassan – 573 101.

10. Smt Dakshayani H V
Postal Assistant,
Belur Post Office, Belur.

11. Sri Shivaramu P,
SPM, Hagare,
Hassan.

12. Smt. Bindu Ramakrishna,
O.A, Divisional Office,
Hassan.

13. Smt. Manjula K M,
Postal Assistant,
Hassan Head Office,
Hassan.

14. Smt. Varamahalakshmi,
SPM, Pension,
Mohalla, Hassan.

15. Smt. Rajani K,
SPM, Bikere.

16. Smt. Chandrakala SB,
O.A, Divisional Office,
Hassan.

17. Sri Nagesh U S,
Postal Assistant,
Alur Post Office,
Alur.

18. Sri Dhananjaya N,
Postal Assistant,
Holenarasipura.

...Respondents

(By Shri M. Rajakumar, SCGC for official respondents.
Advocate Shri P. Kamalesan for R-7,8 & 11 to 17)

O R D E R(ORAL)

It is submitted at the bar that Shri Umesha H.N., Secretary of the Association is no longer the Secretary and also the Executive Committee of the Association has not authorized him to file this OA and they appear through Shri P. Kamalesan, learned counsel and seek that the OA is not maintainable.

2. Learned counsel for the applicant Shri B. Veerabhadra is not present. His junior Shri Udaykumar, is present. He says that he wants to file objections to what Shri P. Kamalesan has stated.

3. There cannot be an opportunity to object to such a statement, as, if he is not authorized to file he is not to be allowed to do so. Under Trade Union Act 1926 also there must be a resolution of the Committee to file such a case. It does not fall on any office bearer to independently to decide anything on behalf of the Trade Union, as it is, the Trade Union is a legal persona who is agitating and not any office bearer on his own.

4. At this point of time, wisdom dawned on Shri Udayakumar and he seeks to withdraw the OA. OA therefore allowed to be withdrawn without the issue of resjudicata. Union will be eligible to file another OA, if it chooses so, otherwise, later on. No order as to costs.

(DR. K.B.SURESH)
MEMBER(J)

vmr.

Annexures referred to by the applicant in OA.No.410/2017.

- Annexure-A1: Copy of 2nd respondent's order dated 01.04.2015
- Annexure-A2: Copy of Rotational Transfer order dated 01.04.2016
- Annexure-A3: Copy of interim order in O.A. No. 754/2016
- Annexure-A4: Copy of interim order in O.A. No. 755/2016
- Annexure-A5: Copy of letter dated 01.04.2016 of the applicant.
- Annexure-A6: Copy of letter dated 01.04.2016 of the applicant.
- Annexure-A7: Copy of letter dated 02.04.2016 of the applicant.
- Annexure-A8: Copy of letter dated 07.04.2016 of the applicant.
- Annexure-A9: Copy of the impugned transfer order dated 24.05.2017
- Annexure-A10: Copy of the letter dated 31.05.2017 of the applicant
- Annexure-A11: Copy of the letter dated 31.05.2017 of the applicant
- Annexure-A12: Copy of the letter dated 10.06.2017 of the applicant
- Annexure-A13: Copy of the letter dated 22.06.2017 of the applicant
- Annexure-A14: Copy of D.G. Posts letter dated 31.01.2014