

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO. 060/0111/2019

Chandigarh, this the 18th day of February, 2019

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

...

Gobind Singh aged 57 years son of Gurdev Singh r/o House No. 661, Ward No. 2, Ghumar Basti, Sangrur, District Sangrur-148001 PA (HQ), Sangrur 148001 (Group-C).

....APPLICANT

(Present: None even on 2nd call)

VERSUS

1. Union of India through its Secretary, Ministry of Communication and IT, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi 110001.
2. Chief Postmaster General, Punjab Circle, Sandesh Bhawan, Sector 17/E, Chandigarh 160017.
3. Asstt. Postmaster General (Staff) Punjab Circle, Sector 17-E, Chandigarh-160017.
4. Supdt. of Post Offices, Sangrur Division, Sangrur 148001.

....RESPONDENTS

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

None for the applicant even on second call.

2. We have gone through the pleadings. The applicant has challenged impugned order dated 17.10.2018 (Annexure A-1) vide which the employees of the 'applicant association' have been transferred/posted. He has not claimed any relief in the personal

capacity, but it is for an un-named association. This makes clear that the applicant has filed the present Original Application as a public interest litigation, as no impugned order prejudicial to his own rights or that he has been wrongly transferred against transfer policy is challenged in personal capacity. As per the judgments of Hon'ble Supreme Court in the case of **R.K. Jain vs Union of India & Ors** reported in 1993 (4) SCC 119, which was followed in the case of **Dr. Duryodhan Sahu and Ors. vs Jitender Kumar Mishra and Ors.** reported in 1998 (7) SCC 273 and in the case of **Hari Bansh Lal vs Sahodar Prasad Mahto & Ors** reported in 2010 (4) RSJ, Public Interest Litigation is not maintainable in service matters before this Tribunal. Accordingly, it is held that this O.A. is not maintainable in the form of Public Interest Litigation before this Tribunal.

3. In the wake of above this O.A., in the form of Public Interest Litigation, being not maintainable, as only an aggrieved person can approach this Tribunal against an impugned order under Section 19 of the Administrative Tribunals Act, 1985 to this Tribunal. Therefore, the O.A. is dismissed being not maintainable.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 18.02.2019

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