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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00792/2018

Tuesday, this the 26th day of March, 2019

CORAM:

HON'BLE Mr.E.K.BHARAT BHUSHAN, ...ADMINISTRATIVE MEMBER
HON'BLE MR.ASHISH KALIA, ...JUDICIAL MEMBER

1. Ms.P.K.Sajilakumari,
Aged 58 years,
W/o N.Vijayakumar,
Assistant Postmaster (Accounts),
Head Post Office, Kollam – 691 001.
(residing at Visakh, East Kallada, Kollam-691502).
2. Ms.Jaya K.R.,
Aged 56 years,
W/o C.K.Ajithan,
Assistant Postmaster (Accounts),
Head Post Office, Pathanamthitta-689645,
(residing at Sethika, Thattayil P.O.,
Adoor, Pathanamthitta-691 525).
....Applicants

(By Advocate Dr.K.P.Satheesan, Sr. & Mr.P.Mohandas for the applicants)

Versus

1. The Union of India represented by its Secretary, Department of Posts, Personnel division, Dak Bhavan, Sansad Marg, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram – 695 033.

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3. The Director of Postal Service (HQ),
Office of the Chief Post Master General,
Kerala Circle,
Thiruvananthapuram-695 033.Respondents

(By Advocate Mr. P.R.Sreejith, ACGSC for Respondents)

This application having been heard on 19th March, 2019, the Tribunal on 26th March, 2019 delivered the following :

ORDER

HON'BLE Mr.E.K.BHARAT BHUSHAN, ...ADMINISTRATIVE MEMBER

OA No.792/2018 is filed by Smt.P.K.Sajilakumari and Smt.Jaya K.R., both Assistant Postmasters (Accounts) against the order at Annexure A7 dated 19.09.2018 mutually transferring them from Kollam HO to Pathanamthitta HO and back respectively. The prayer contained in the OA are as follows:

- i) to set aside Part-I of Annexure A7 Memo No.ST/3-4/Accounts/2015 dated 19.09.2018 issued by the 2nd respondent as it is arbitrary, illegal and void;
- ii) to issue an order or direction to the 2nd respondent to promote the applicants as HSG-I as they have completed more than three years of service as HSG-II;
- iii) to issue an order or direction to the 2nd respondent to retain the applicants as the present station as they have not completed the station tenure of six years at the present station.
- iv) to declare that the applicants entitled to continue at the present station until 27.02.2019 as per Annexure A8 guidelines for transfer issued by the first respondent;
- v) to issue such other order or direction as this Hon'ble Tribunal may be deem fit and proper in the facts and circumstances of the case.

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2. Heard Dr.Satheesan, Senior with Mr.P.Mohan, appearing on behalf of the applicant and Mr.P.R.Sreejith , ACGSC on behalf of the respondents. The case was heard for the first time on 25.09.2018. The respondents were directed not to give effect to the transfer until the next posting date. The said interim order has been continued with till date. The matter was finally heard on 19.03.2019.

3. As can be seen from the OA the main argument raised by the applicants is that they have not completed the station tenure period of six years at the present place of posting and would complete the said period only on 27.02.2019. In the OA they prayed that they may not be disturbed until that date from their present station. As this date has come to pass, we are of the view that there is nothing more sought for by the applicants to be granted. Accordingly, the OA is dismissed as infructuous and the interim order is vacated. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in O.A. No.180/00792/2018

- 1. Annexure A1:** True copy of the relevant pages of the Post and Telegraphs (Selection Grade Posts) Recruitment Rules 1976.
- 2. Annexure A2:** True copy of the order No.ST/3-4/Accounts/2012 dated 28.02.2013 issued by the 2nd respondent.
- 3. Annexure A3:** True copy of the option asked to the first applicant by the Senior Superintendent of Post Offices, Kollam Division dated 1-8-2018.
- 4. Annexure A4:** True copy of the option asked to the second applicant by the Senior Superintendent of Post Offices, Pathanamthitta Division dated 17.07.2018.
- 5. Annexure A5:** True copy of the representation filed by the first applicant dated 3-8-2018.
- 6. Annexure A6:** True copy of the representation filed by the second applicant dated 21.07.2018.
- 7. Annexure A7:** True copy of the Memo No.ST/3-4/Accounts/2015 dated 19.09.2018 issued by the 2nd respondent
- 8. Annexure A8:** True copy of guidelines issued by the first respondent dated 31.07.2018.
- 9. Annexure R1 –** True copy of the minutes of the Transfer & Placement committee meeting held on 14.09.2018.
- 10. Annexure R2 –** True copy of the list of HSG II A/cs line posts in the circle considered by the Transfer & Placement Committee.
