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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.2889/2003

New Delhi this the 3rd day of December, 2003.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)

Hari Baboo Sharma S/o Sh. Pyare Lal,
Postman Mathura Head Postoffice,
Mathura.

-Applicant

(By Advocate Sh. D.P. Sharma)

-Versus-

1. Union of India through
the Secretary,
Ministry of Communication and I.T.,
Department of Posts,
Sansad Marg, New Delhi.
2. The Postmaster General,
Agra Region, Agra.
3. Sh. H.P. Singh,
Officiating Sr. Supdt. of Postoffice,
Mathura Division (In joint charge),
at Mathura (UP).
4. Sh. Mahesh Kumar Sharma,
Asstt. Postmaster (Accts) Mathura,
and officiating Senior Postmaster,
Mathura, (UP).

-Respondents

ORDER (ORAL)

One of the contentions put-forth by applicant assailing transfer order dated 15.11.2003 is that those who are approaching retirement^h within two years, i.e., 30.6.2005 in the case of applicant, should not be disturbed from their postings. Moreover, it is stated that on medical grounds applicant being a tuberculosis patient has been transferred by way of punitive action and mala fides. However, the aforesaid transfer has not been assailed by way of a representation, which is a statutory remedy. However, keeping in view the interest of justice, OA is disposed of by directing the respondents to treat the present OA as representation of applicant and the same would be disposed of by a detailed and speaking order. in the light of the observations made above, within a period

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of one month from the date of receipt of a copy of this order. Till then the transfer order shall remain suspended. No costs.

A copy of this order alongwith copy of the OA be sent to the respondents forthwith.

S. Raju

(Shanker Raju)
Member (J)

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