

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/20/571/2019

Dated: 03/07/2019

Between

T. Purushotham, S/o. T. Siddaiah,
Aged 44 years, working as Sub Postmaster,
KV Puram S.O., Tirupati Division.

... Applicant

AND

1. The Union of India rep. by
Secretary, Govt. of India,
Ministry of Communication & I.T.,
Dept. of Posts ó India,
Dak Bhavan, Sansad Marg,
New Delhi ó 110 001.
2. The Chief Postmaster General,
A.P. Circle, Krishna Lanka,
Vijayawada ó 520 013.
3. The Postmaster General,
Kurnool Region,
Kurnool ó 518 002.
4. The Superintendent of Post Offices,
Tirupati Division,
Tirupati ó 517 501.

... Respondents

Counsel for the Applicant : Mr. M. Venkanna

Counsel for the Respondents : Mrs. L. Pranathi Reddy,
Addl. CGSC

CORAM :

Hon'ble Mr. A.K. Patnaik, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

[A.K. Patnaik, Judl. Member]

Heard Mr. M. Venkanna, learned counsel for the applicant and Mrs. L. Pranathi Reddy, learned Standing Counsel for the respondents, in extenso.

2. The O.A. is filed with the following prayer:

..... to quash and set aside the impugned Memo No.B2/RT/Dlgs/2019 dated 29.6.2019 issued by the 4th respondent being illegal, arbitrary and contrary to the principle of quality guaranteed under Article 14 and 16 of the Constitution of India.ö

3. At the outset, the applicant submitted that this O.A. is filed challenging the Memo No.B2/RT/Dlgs/2019 dated 29.6.2019 issued by the 4th respondent whereby the applicant is transferred from the present office of Sub Postmaster, KVPuram So to SBR Puram SO even though the applicant did not complete one year period against the 3 years tenure as SPM, KVPuram SO. He also seeks retention at the present place of working in view of his domestic reasons of he being the sole caretaker of his family and his father aged about 80 years is ailing. He also seeks parity with his counterpart namely, Smt. M.R. Geetha, who was given extension at Ekambarapuram in the similar circumstances.

4. Learned counsel for the applicant brought to our notice the transfer guidelines issued on 17.1.2019, which have been annexed under Annex.A-V, and submitted that in spite of the applicant's repeated representations under Annex.A-VII & VIII, the respondents are sitting tight over the same and the

applicant is yet to receive response from the respondents. He further submits that the applicant is still continuing in his present place of posting.

5. It is also brought to our notice that under Annex.A-IX, a similarly situated employee was retained, keeping in view the revised postal guidelines.

6. Mrs. L. Pranathi Reddy, learned Standing Counsel for the official respondents on the other hand vehemently opposed the maintainability of this O.A. by stating that in case of transfer, the Tribunal has a very limited scope to interfere and that she should be given another opportunity to file reply in this case.

7. As no reply has been filed, we are disposing of the matter at the admission stage. Without entering into the merit of the matter, we dispose of the O.A. by directing the Respondents No.3 & 4 to consider the representation of the applicant as under Annex.A-VII & VIII, if so preferred and is still pending consideration, keeping in mind the Railway Board guidelines under Annex.A-V, and communicate the result thereof by a reasoned and speaking order, within a period of four weeks from the date of receipt of a copy of this order.

8. Although we have not entered into the merit of the O.A., we hope and trust that after examining the case of the applicant and the points raised in the representations under Annex.A-VII & VIII, if the respondents found that his case is squarely covered under Annex.A-V of the O.A. i.e. the revised transfer guidelines issued by the Union of India, then expeditious steps may be taken to allow him to continue in his present place of posting, by cancelling the transfer order.

9. Learned counsel for the applicant submitted that no one is posted in his place. Therefore, without staying the operation, we make it clear that status quo as on date so far as the continuance of the applicant in his present place of posting will be maintained till the representation is considered and disposed of and the result is communicated to the applicant. If, in the meantime, the representation is already disposed of, the result thereof shall be communicated within two weeks.

10. With the above observation and direction, the O.A. is disposed of. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(A.K. PATNAIK)
JUDL. MEMBER

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