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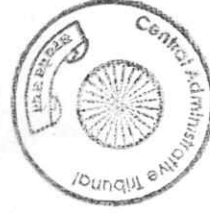
**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

OA. No. 021/363/2017

Dated: 04/05/2017

BETWEEN:

Smt. M.Gayatri,
D/o. Late Sri. M. Vyasulu,
Aged about 56 years,
Department of Post,
R/o. Flat No.103, Yoga Apartments,
Gollaguda, Subash Nagar,
Trimulgherry, Secunderabad – 500 015.



..... Applicant

AND

1. Union of India through the Secretary,
Ministry of Communication,
Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi – 110 001.
2. The Asst. Director General,
Ministry of Communication,
Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi – 110 001.
3. The Asst. Director (Staff & Vig.),
O/o. The Post Master General,
Hyderabad Region, Abids Circle,
Hyderabad – 500 001.
4. The Chief Postmaster General,
Telangana Circle, Abids,
Hyderabad – 500 001.
5. The Chief Postmaster General,
CPMG Staff, Andhra Pradesh Circle,
Vijayawada (A.P.)- 520 001.

..... Respondents

Counsel for the Applicants : Mr. Narinder Pal Singh, Advocate
Counsel for the Respondents : Mrs. B. Gayatri Varma, Addl. CGSC

CORAM



Hon'ble Mrs. Minnie Mathew, Member (Admn.)

ORAL ORDER

{Per Hon'ble Mrs. Minnie Mathew, Member (Admn.)}

Heard Mr. Narinder Pal Singh learned counsel for the applicant and Mrs. K. Rajitha representing Mrs. B. Gayatri Varma, learned Standing Counsel.

2. The applicant submits that she is working as Section Supervisor in RPLI Branch in the Office of the Postmaster General, Hyderabad Branch. She submits that she has made a detailed representation on 07.10.2016 and 13.02.2017 to the 4th respondent requesting to retain her in Telangana in view of her ill health and also in view of the fact that she has only four years left for retirement on superannuation. The respondents have however not passed any order on the representations dated 07.10.2016 and 13.02.2017. The applicant is also aggrieved by the letter dated 03.05.2017 issued by the 4th respondent directing her to apply for leave to the A.P. Circle Office on the ground that she has been allotted to A.P. Circle and that she is deemed to have been relieved from his office w.e.f.15.02.2017.

3. The learned Standing Counsel was directed to obtain instructions on the action taken by the respondents on the aforesaid representations.

4. When the matter was taken up for hearing today, learned counsel for the applicant drew my attention to the Annexure-A5 instructions of the Department of Posts letter dated 13.02.2017 in which the following instructions have been given:-

a) All such employees who have been allotted to a Circle different from the option exercised by them are retained on attachment basis in the Circle of their



choice till vacancies become available on account of retirement or Cadre restructuring and consequent creation of Posts or till further orders, whichever is earlier. Till such time these employees continue to be in a Circle to which they have been formally allotted.

b) The dispensation will be a onetime exception to be provided to Andhra Pradesh and Telangana Circle due to bifurcation and should not be quoted as a precedent by any Circle in future.

He argued that after the bifurcation of Andhra Pradesh and Telangana Circle the applicant has sought for retention in Telangana. Hence the action of the respondents in having allotted her to A.P Circle which is against her choice is in direct contravention of the above instructions. He also submitted that the applicant has not been served any orders of deemed relief so far.

5. Mrs. K. Rajitha, Sr. CGSC on instructions submits that the representations of the applicant could not be considered as there were no vacancies in LSG cadre at the time of her representation. However, it was also submitted that one vacancy has arisen due to retirement on superannuation of Smt. M. Meena Kumari, LSG Section Supervisor on 30.04.2017. She also submitted that from the record it is seen that no reply was given to the representations of the applicant.

6. In view of the aforesaid facts, this OA is disposed of at admission stage with a direction to the respondents to pass appropriate, reasoned and speaking orders on the representations submitted by the applicant on 07.10.2016 and 13.02.2017 in accordance with the instructions issued by



the Department of Posts and also with reference to the vacancy of LSG reportedly available and communicate the same to the applicant expeditiously. Until then, Respondents are directed not to take any coercive action to relieve the applicant. No order as to costs.

प्रमाणित प्रतिलिपि
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केस संख्या
CASE NUMBER. OA. 363/17
निर्णय का तारीख
DATE OF JUDGEMENT. 4/5/17
प्रति रोक्का तैयार किया गया तिथि
COPY MADE READY ON. 11/5/17


Section Officer / Court Officer
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद ब्याच/Hyderabad Bench

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