

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13209 of 2024

1. The Union of India through the Secretary, Department of Posts, New Delhi-110001.
2. The Chief Postmaster General, Department of Post, Bihar Circle, Patna-800001.
3. The Postmaster General, Department of Post, East Region, Bhagalpur-812001.
4. The Director of Postal Services, Department of Post, East Region, Bhagalpur - 812001.
5. The Superintendent of Post Office, Department of Post, Bhagalpur Division, Bhagalpur- 812001.

... .. Petitioner/s

Versus

Arun Kumar Pandey Son of Late Ram Janm Pandey, Resident and village and P.O.- Laxmipur, via- Mathurapur, P.S. - Pirpaiti, District - Bhagalpur- 813222. At present under the orders of his transfer/Revision and reliving from his post of Overseer (Mail), East Sub Division, Kahalgaon, under Bhagalpur Postal Division.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr.Morya Vijay Chandra, Sr. CGC Mr.Satyendra Kumar Jha, Advocate
For the Respondent/s	:	Mr.Hemant Kumar Karn, Advocate Mr.Jayant Kumar Karn, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

9 17-02-2025

Re:I.A. No. 02 of 2025

Heard I.A. No. 02 of 2025 filed by the respondent to modify the order dated 03.10.2024 passed in the present petition insofar as staying operation of the CAT order dated 21.05.2024 only on the score that respondent is holding the post of Mail Overseer at Kahalgaon and he has been transferred as Postman



at Amarpur. It amounts to reverting him to a lower cadre in the light of Annexure-A/7. The post of Overseer and Postman are governed by rules.

2. Learned counsel for the petitioners tried to impress with reference to circular or communication dated 10.09.2024. Circular or communication cannot clarify rules of recruitment in respect of various post like Post Master, Overseer, Overseer Postman, etc. Admittedly, respondent is holding post of Mail Overseer and he cannot be posted to a lower cadre, namely, Postman. Accordingly, Co-ordinate Bench order dated 03.10.2024 stands modified to the extent of vacating the stay.

3. Accordingly, I.A. No. 02 of 2025 stands allowed.

4. The concerned petitioners are hereby directed to put back the respondent to the post of Mail Overseer, Kahalgaon forthwith. If any, third person is working as a Mail Overseer necessary notice shall be issued insofar as replacing respondent to the extent that he has been illegally displaced.

5. Relist this matter on 24.03.2025.

6. At this juncture, learned counsel for the respective parties on instructions submitted that the present writ petition is filed against the interim order. O.A. No. 285 of 2024 is still pending on the file of CAT, Patna Bench, Patna. Therefore,



CAT, Patna is requested to decided the O.A. No. 285 of 2024 within a reasonable period of time. However, it is made clear that the aforementioned interim order insofar as respondent to post back as a Mail Overseer, Kahalgaon holds good till disposal of O.A. No. 285 of 2024.

7. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

abhishekk/-

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