

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

O.A. NO.1784/1996

New Delhi, this the 1st March, 2000.

(8)

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Yogender Kumar S/O Dharamveer Singh,  
last employed as Extra Departmental Packer,  
under Delhi North Postal Division and  
resident of Gurgaon Distt.,  
C/O Shri Sant Lal, Advocate,  
C-21(B), New Multan Nagar,  
Delhi-110056.

... Applicant

( By Shri Arun Bhardwaj, proxy for Shri Sant Lal, Adv. )

vs.

1. Union of India through  
Secretary, Ministry of  
Communications, Deptt. of Posts,  
Dak Bhawan, New Delhi-110001.

2. Sr. Superintendent of Post Offices,  
Delhi North Division,  
Civil Lines, Delhi-110054.

3. Asstt. Superintendent of Post Offices,  
Third Sub Division, Delhi North,  
Rohini, Delhi-110085.

... Respondents

( By Shri D.S.Jagotra, proxy for Shri H.K.Gangwani, Adv. )

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Application made by the proxy counsel for adjournment is rejected. We have perused the record and we proceed to dispose of the O.A. on the basis of available pleadings in terms of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. An order issued on 3.2.1995 by the disciplinary authority removing the applicant from service is impugned in the present O.A. Respondents in their counter have inter alia averred that the aforesaid order of removal dated 3.2.1995 has been set aside by the appellate

*M.G.J.*

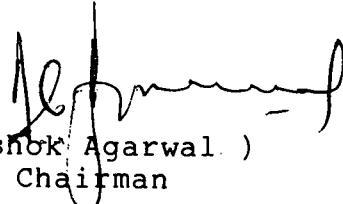
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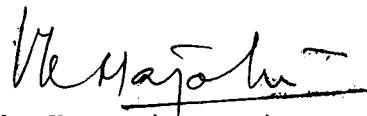
authority and the applicant has been reinstated in service. The main prayer contained in the O.A. for setting aside the order of removal, therefore, has now been met by the order passed by the appellate authority.

3. The only relief which now survives and which has not been granted by the appellate authority is the consequential relief of grant of continuity in service as also back-wages as if the impugned order of removal from service dated 3.2.1995 had not been passed. According to the applicant, he had reported for duty in Nangloi Post Office on 23.11.1986 when he was not allowed to join.

4. Having regard to all the facts and circumstances of the case, we direct the respondents to pay the applicant, by way of back-wages, ~~an amount representing~~ half the salary ~~due to him~~ which would have been payable to him from 20.8.1996, the date on which the present O.A. has been filed, till the services of the applicant were reinstated in pursuance of the order passed by the appellate authority. This payment be made within a period of three months from the date of receipt of this order by the respondents.

5. Present O.A. is partly allowed in the aforesated terms. There shall be no order as to costs.

  
( Ashok Agarwal )  
Chairman

  
( V. K. Majotra ) 1.3.2000  
Member (A)

/as/