

Central Administrative Tribunal
Principal Bench

O.A. No. 1580 of 1997

New Delhi, dated this the 22 nd May, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. KULDIP SINGH, MEMBER (J)

(5)

Shri Bir Singh,
S/o Shri Bhola Ram,
Vill. & P.O. Jai Singh Pur Khera,
Tehsil Bawali, Dist. Rewari,
Haryana. .. Applicant

(By Advocate: Shri M.K. Gaur)

Versus

1. Union of India through
the Secretary,
Dept. of Post,
Dak Bhawan,
Parliament Street,
New Delhi-110001.
2. Chief Post Master General,
Haryana Circle, Ambala,
Haryana.
3. Sr. Supdt. of Post Offices,
Gurgaon Division, Gurgaon,
Haryana.
4. Sub. Divl. Inspector Postal (EAst),
Gurgaon, Haryana.
5. Shri Abhay Singh,
S/o Shri Singh Sobha Ram,
R/o Vill. Keshopur,
P.O. Jai Singh Pur Khera,
Tehsil Bawali,
Dist. Rewari (Haryana).
6. Shri Sumer Singh,
S/o Shri Maru Ram,
R/o Vill. Anandpur,
P.O. Jain Singhpur Khera,
Dist. Rewari (Haryana) .. Respondents

(By Advocate: Shri K.R. Sachdeva R-1 to 4
Shri Sant Lal for R-6
(Review Applicant in RA-209/99)

ORDER

MR. S.R. ADIGE, VC (A)

Applicant had filed this O.A. impugning
respondents' order dated 28.4.97 (Annexure A-1) and
claiming reinstatement with consequential benefits.

(2)

2. The O.A. was allowed by order dated 3.4.98. The impugned order dated 28.4.97 was quashed and respondents were directed to reinstate applicant. (6)

3. It is not denied that applicant was reinstated, upon which one Shri Sumer Singh filed R.A. No. 109/99 praying for review of the order dated 3.4.98. In the R.A. he stated that he had not been made a party in this O.A., and as a consequence of applicant's reinstatement, he had been terminated from service, although after applicant's removal he had been regularly selected and appointed against that vacancy, while applicant's initial appointment itself was only provisional.

4. After hearing applicant, official respondents as well as review applicant Shri Sumer Singh, R.A. No. 209/99 was allowed, the impugned order dated 3.4.98 was recalled, and the O.A. was listed for hearing afresh.

5. We have heard Shri Gaur for applicant, Shri Sant Lal for Shri Sumer Singh as well as Shri Sachdeva for official respondents.

6. It is not denied that after applicant's reinstatement, pursuant to the Tribunal's order dated 3.4.98 he was again removed from service. He challenged that removal in C.A.T., Chandigarh Bench in O.A. No. 918-HR-98 which was dismissed on 3.11.99.

7. In the above background,, Shri Gaur stated that he was not pressing the O.A. Shri Sant ^{Sumer} Lal, however, vehemently contended that Shri ~~Sumer~~ ^{Sumer} Singh should be put back on the same position from which he was displaced consequent to the Tribunal's order dated 3.4.98. This prayer was resisted by Shri Sachdeva.

8. As applicant is himself not pressing this O.A., no direction of the kind prayed for by Shri Sant ^{Sumer} Lal can be given at this stage. It is open to ~~Shri Sumer Singh~~ ^{Sumer} Singh to represent to respondents regarding his grievance, and in case he receives no response within a reasonable period, or the response does not satisfy him, it is open to him to agitate his grievance in accordance with law, if so advised.

9. The O.A. is disposed of in terms of Paragraph 8 above. No costs.

Kineay
(Kuldeep Singh)

Member (J)

/GK/

Adige
(S.R. Adige)
Vice Chairman (A)