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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 766/2004

New Delhi this the 25th day of March, 2004

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S. A. Singh, Member (A)

Mr. Mohd. Ibrahim
S/O Shri Haji Abdul Hamid,
Retired T.B.P./L.S.G. Stg. Asstt.
Gali No.19, House No.RZ 344/
Tughlakabad Extension,
New Delhi-110019.

..Applicant

(By Advocate Shri T.D. Yadav)

VERSUS

1. The Union of India through the Secretary, Ministry of Communications Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Postmaster General, Department of Posts, U.P.Circle, Lucknow
3. The Director Postal Services (H.Qrs.), O/O the Chief Post Master General, U.P. Circle, Lucknow-226001 (UP).
4. The Senior Superintendent, Railway Mail Services R.M.S. 'O' Division, Lucknow.

..Respondents

O R D E R (ORAL)

Justice V.S. Aggarwal:

The applicant, by virtue of the present application, seeks quashing of the order dated 23.1.2002 passed by the respondents in compliance to the directions issued by this Tribunal on 10.7.2000 in OA-1977/99.

2. It become unnecessary for us to go into the merits of the matter because admittedly the applicant earlier had filed OA 2/2002 which was disposed of on 21.5.2003. The said order reads:

"The matter as such has been settled.
In accordance with the concessions made at the



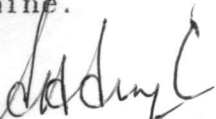
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Bar, the relief claimed in paragraph 8.3 of the O.A. whereby applicant claims a direction to respondents for grant of the benefit of BCR from 1.10.1991 is dismissed as withdrawn.

2. As regards the other relief, it is conceded at either end that applicant should be granted the benefit claimed from ~~12.4.1996~~ 12.4.1986 instead of 1.3.1985. Applicant would be entitled to the arrears due to him. If any attachment has to be effected, it shall be done in accordance with law. Ordered accordingly.

3. The OA is disposed of. No costs!"

Perusal of the order shows that the applicant had already prayed the benefit of BCR from 1.10.1991. Having withdrawn the same petition ^{now} seeking the same relief as in the present OA, the present petition is not maintainable. Resultantly, petition must fail and is dismissed in limine.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

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Note: ^(X) Please see orders dated 27.4.04 in M.A. 845/2004 in DA 766/2004.
