

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 2014/2004

This the 9th day of September, 2004

HON'BLE MR. JUSTICE M.A. KHAN, VICE CHAIRMAN (J)
HON'BLE MR. S.A. SINGH, MEMBER (A)

Sh. Har Prasad Sharma,
Postal Asstt. Ghaziabad H.O.,
Resident of 56, Kailwala,
Delhi Gate, Ghaziabad.

(By Advocate: Sh. V.P.Köhli)

Versus

Union of India through

1. The Secretary,
Department of Post,
Ministry of Communication & Information Technology,
Dak Bhawan, Sansad Marg,
New Delhi.
2. The Chief Post Master General,
U.P.Circle, Lucknow-226001.
3. The Post Master General,
Bareilly Region, Bareilly.
4. The Sr. Superintendent of Post Offices,
Ghaziabad Division,
Ghaziabad-201002.

(By Advocate: Sh. M.M.Sudan)

ORDER (ORAL)

By Hon'ble Mr. Justice M.A.Khan, Vice Chairman (J)

OA-2014/2004 is filed by the applicant seeking quashing of Annexure A-1

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whereby Chief Post Master General proposed to review the order copy of which is Annexure A-2 under rule 29(1)(vi) of CCS (CCA) Rules, 1965 and further to restrain the respondents from withholding retiral benefits of the applicant.


2. Notice has been issued to the respondents but the reply has not been filed on behalf of the respondents yet. Counsel for respondents points out that the petition, in fact, is premature since the Chief Post Master General has issued a show cause notice dated 11.6.2004 proposing to revise the order which is impugned in this application and annexed at Annexure A-3 and the final decision is yet to be taken by him. Counsel for applicant has stated that reply of this show cause notice has already been submitted to the Chief Post Master General, copy of which is filed as Annexure A-7, on 28.6.2004 but no decision thereon has been taken by the Chief Post Maser General.

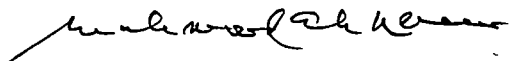
3. At the bar counsel for applicant submitted that this application may be disposed of giving direction to the Chief Post Master General at Lucknow to dispose of the matter within 4 weeks from the date on which the applicant submitted the additional reply. He also submitted that this OA may also be treated as part of this additional reply. He undertook to file the additional reply along with the copy of this OA within 2 weeks before the Chief Post Master General, Lucknow. The learned counsel agreed to this submission.

4. Accordingly, we direct that the applicant shall submit the additional reply to the show cause notice Annexure A-1 along with the copy of this OA, which along with the earlier reply of the applicant Annexure A-7 shall be treated as reply to the show cause notice before Chief Post Master General, Lucknow within 2 weeks from today. Chief Post Master General, Lucknow shall take a decision in the matter within 4 weeks from the date on which the aforesaid additional reply is submitted before him. Chief Post

[Signature]

Master General shall communicate the decision taken in the case to the applicant immediately. Applicant is given liberty to approach this Court again in accordance with law, if necessary, after the decision is taken by the Chief Post Master General, Lucknow. Accordingly, OA stands disposed of with no order as to cost.


(S.A. SINGH)
Member (A)


(M.A. KHAN)
Vice Chairman (J)

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