

OPEN COURT.

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH; ALLAHABAD.

ORIGINAL APPLICATION NO. 1163 OF 2001.

ALLAHABAD THIS THE 3RD DAY OF MARCH 2005.

HON'BLE MR.A.K. BHATNAGAR, MEMBER-J
HON'BLE MR.D.R.TIWARI, MEMBER-A

Punnoo Lal son of late Shri Bachchu Lal aged about 65 years, retired HSG-1, HAS RMS 'A' Dn. Allahabad.

.....Applicant.

(By Advocate: In person)

Versus

1. Union of India through its Secretary Ministry of Communication, Department of Posts, New Delhi.
2. The Chief Post Master General, U.P. Circle, Lucknow.
3. The Director Postal Services Head Quarter O/o the Chief P.M.G. U.P. Circle, Lucknow.
4. The Senior Superintendent, RMS 'A' Division, Allahabad.

.....Respondents.

(By Advocate: Sri D.K. Dwivedi)

O R D E R

(By Hon'ble Mr.A.K. Bhatnagar, J.M.

By this O.A., the applicant has prayed for following reliefs:

- "(a) A direction may be issued quashing the order dated 27.10.1987.
- (b) A direction may be issued to respondents to pass an speaking order with the applicant representation dated 11.12.1987, 1.2.1988, 1.3.1990, 25.2.1991 and 29.5.2001 etc.
- (c) A direction may be issued to the respondents to give the applicant's promotion in H.S.G. II cadre prior to the date of his juniors respondent NO.5 to 10 were ordered to be promoted w.e.f. 27.10.1987.
- (d) A direction may be issued that the applicant's name may be place prior to S/Shri Kedar Nath, S.P. Sharma, M.U. Farrooqui etc. in the circle gradation list dated 12.04.1989 in H.S.G II cadre after the name of serial No.6.

Am

- (e) A direction may kindly be issued to the respondent on promotion to HSG-II post w.e.f. 27.10.1987 of the applicant to fixed up pay and allowance in accordance with officiating order. As the applicant had worked w.e.f. 18.11.1985 to 26.10.1987 in officiating post in H.S.G. II cadre.
- (f) A direction may kindly be issued to respondent to pay all differences of pay allowance and pension arrear with interest thereof only Rs.2626/- has been paid to the applicant dated 21.7.2001.
- (g) A direction may kindly be issued to the respondent to pay the consequential and pensionary benefits to the applicant.
- (h) Any other direction as this Hon'ble Tribunal may kindly be deem fit and proper in the circumstances of the cases".

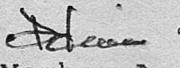
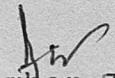
2. We find that the respondents have filed supplementary counter affidavits on 4.11.2004 and 4.01.2005 by which the respondents have clearly stated in paras 3,4 and 5 of supplementary counter affidavit filed on 4.11.2004 and paras 3 to 9 of supplementary counter affidavit filed on 4.1.2005 that all the grievances of the applicant have been redressed by the department. The applicant, however, is not satisfied with the version given by the respondents. We have also seen that the applicant has ultimately filed a representation on 11.02.2002 alongwith M.A. No.861/02 but till date as per the applicant neither he has ^{been} given reply thereto nor he has ^{been} given benefit of said post of HSG Grade-1 w.e.f. 05.12.1991. The applicant admits to this extent that most of the benefits as claimed by the applicant have been granted to him but certain benefits which have clearly been stated in the representation sent to the Department on 11.02.2002 have not been given and the said representation is lying undecided before the respondents.

3. After hearing counsel for the parties, we are of the view that the interest of justice shall better be served if the representation so filed by the applicant on 11.02.2002 is looked into by the Competent Authority i.e. The Chief Post Master General, U.P.



Circle, Lucknow and decide it by a reasoned and speaking order within a period of three months from the date of receipt of a copy of the order, if not already decided and a personal hearing may also be given to the applicant. The applicant may submit a copy of the fresh representation to the Competent Authority immediately.

4. The O.A. stands disposed of with above direction.


Member-A
Member-J

Manish/-