

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1373 OF 2004
ALLAHABAD THIS THE 22ND DAY OF NOVEMBER, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

HON'BLE MRS. ROLI SRIVASTAVA, MEMBER-A

Idai Bhan son of
Ram Sahai resident of Eoni,
District-Jhansi.

..... .Applicant

(By Advocate Sri Upendra Mishra)

Versus

1. Union of India
through Secretary,
Ministry of Communication,
Post Master General,
New Delhi.
2. Superintendent of Post Office,
Jhansi Division, Jhansi.
3. Chief Post Master General U.P.
Circle, Lucknow.
4. Post Master General, Agra,
Circle Agra, U.P.

..... .Respondents

(By Advocate Shri S. Singh)

_ O R D E R _

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Grievance of the applicant in this case is
that he was engaged as a substitute on 21.08.1999
(Page 10) and was allowed to work upto 08.10.2002
when he ~~was~~ fell sick ^{as such B} and he had applied for leave.
He was declared fit on 31.12.2002 but when he went
to take the
to join the duty on 01.01.2003, charge of post of



B.P.M., Markman he was not permitted to join, He was also not paid the salary from July 2002 to 08.10.2002, therefore, being aggrieved he gave the representation on 24.03.2003 to the Post Master General, Agra (Page 45) which was duly forwarded by the Assistant Director on 01.04,2003 (Page 48). But inspite of that, he has not been given any reply. He has thus, prayed that respondents be directed to permit the applicant to join duty as Gramin Dak Sewak and not to interfere in his work and also to pay salary from when it falls due.

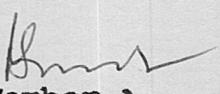
2. It is submitted by the applicant that he had completed three years service, therefore, under the rules, he needs to be considered for some alternative job also. His salary for the period when he had already worked needs to be paid to him.

3. Counsel for the respondents was seeking time to file reply but we do not think it necessary to call for reply at this stage because respondents have not even applied their mind to the grievance of applicant. Since every case depends on the facts which are best known to the department itself, therefore, we are of the opinion, that this case can be disposed off at the admission stage itself without going into the merits of the case by giving direction to the respondents to consider the representation dated 24.03.2003 which was duly forwarded by the Assistant Director on 01.04.2003 and to pass a detailed and reasoned order thereon under intimation to the applicant within a period of three months from the date of receipt of a copy of this order. In case, applicant had actually worked upto 08.20.2002, necessary payments in accordance with law should be made to him, otherwise he should be informed why payments



cannot be made to him.

4. With the above direction, this O.A. is disposed off. No order as to costs.


Member-A


Member-J

/ns/