

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 353 OF 2004

ALLAHABAD, THIS THE 22nd DAY OF APRIL, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)
HON'BLE MR. S. C. CHAUBE, MEMBER (A)

Radhey Shyam Singh Yadav,
s/o Dukhanti Singh Yadav,
r/o Vill. Kusumhi Kalan, P.O. Kusumhi Kalan,
District-Ghazipur.
Presently working as Shakha Dakpal
Basupur, Saidpur, Ghazipur.

....Applicant

(By Advocate : Shri N.P. Singh)

V E R S U S

1. Union of India through the Secretary
Ministry of Communication, Department of Posts.
2. Divisional Postal Services, Allahabad District
District-Allahabad.
3. Superintendent of Post Offices, Ghazipur
Division, District-Ghazipur.
4. Shyam Narain Ram s/o Late Raghu Nath Ram
r/o Vill & Post-Kusumhi Kalan,
District-Ghazipur.

.....Respondents

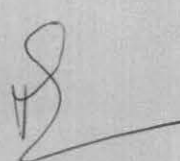
(By Advocate : Shri G.R. Gupta)

O R D E R

By Hon'ble Mrs. Meera Chhibber, J.M.

By this O.A. applicant has sought the following
relief(s):-

- (i) Issue an order or direction in the nature of
mandamus commanding the respondents not to
reduce the basic pay of applicant from
Rs.1920/- to Rs.1280/- p.m.

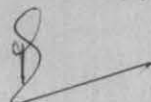


- (ii) issue an order or direction in the nature of mandamus direct to the respondents to make the payment of balance amount of difference of basis pay since 18.08.2003 to the date of payment.
- (iii) issue an order or direction in the nature of mandamus directing the respondents to count the services of the applicant since 09.09.1992 for purposes of further promotion and seniority.
- (iv) issue an order or direction in the nature of mandamus directing to the respondents to decide the applicant's representation dated 02.09.2003 addressed to the opp.party No.3 within stipulated period."

2. Grievance of the applicant is that he was appointed as B.P.M. Kusumi Kalan on 09.09.1992 where his basic salary was fixed as Rs.1920/- and he was getting salary of Rs.3026/- per month but vide order dated 18.08.2003 he has been transferred from Kusumi Kalan to Basupur Saidpur. The effect is that at Basupur his basic pay has been reduced from 1920/- to 1280/- and his total salary has already been reduced from 3026 to Rs.2074 without giving him any reason or without any justification. Being aggrieved, he gave a representation on 02.09.2003 to the Superintendent, Dak Ghar Ghazipur Mandal, Ghazipur(Pg.24) but even though his representation has not been decided till date. Therefore, finding no other option, he had to file the present O.A.

3. We have heard applicant's counsel and perused the pleadings as well.

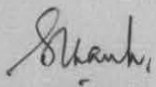
4. Since respondents have not yet applied their mind to the representation given by applicant on Pg.24 we feel ends of justice would be met if this O.A. is disposed off at the admission stage itself by giving direction to respondent No.3 to consider the representation of applicant and to pass a speaking order thereon under intimation to the applicant within 4 weeks from the date of receipt of a copy of this order. In case

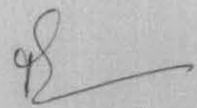


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applicant is still aggrieved by the order of respondent No.3, it will be open to him to challenge the same in appropriate forum.

5. With the above direction, this O.A. is disposed off at the admission stage itself with no order as to costs.


Member (A).


Member (J)

shukla/-