

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 10th day of September, 2021

Original Application No. 330/00687/2021

Hon'ble Ms. Pratima K Gupta, Member (Judicial)

Krishna Kumar Tiwari S/o Babu Lal Tiwari, R/o House No.478 Nankari, I.I.T.
Kanpur.

.....**APPLICANT**

By Advocate: Shri Rajesh Kumar Dubey

Versus

1. Union of India through its Secretary, Ministry of Communication, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Senior Superintendent of Post offices, Kanpur Region, Kanpur Nagar.
3. Account Officer, Director of Account (Postal), U.P. Circle, Sector 'D' Alignaj, Lucknow.

.....**RESPONDENTS**

By Advocate: Shri Vinod Kumar Pandey

ORDER

By Hon'ble Ms. Pratima K Gupta, Member (Judicial)

Shri Rajesh Kumar Dubey, learned counsel for the applicant and Shri Vinod Kumar Pandey, learned counsel for the respondents, who has appeared on advance notice, are present.

2. The applicant has filed this original application seeking the following reliefs:-

- “(i) *issue an order or direction in the nature of certiorari quashing the impugned letter dated 16.12.2017 and 13.04.2021 issued by respondent no.3 and 2 respectively.*
- “(ii) *issue an order or direction in the nature of mandamus directing the respondents to give pension and other retrial*

benefits treating the applicant deemed to have been appointed on regular post and have been regularized in view of Rule 154(a) of Post and Telegraph Ministerial Manual Establishment.

(iii) issue any other order or direction which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

3. Heard learned counsel for the parties on admission and perused the record.

4. The counsel for the applicant submits that he would be satisfied at this stage if this petition is treated as fresh representation of the applicant and the same may be decided by the respondents by passing a reasoned and speaking order.

5. Learned counsel for the respondents has vehemently opposed any indulgence at this stage. According to him the petition filed by the applicant cannot be treated as representation.

6. Without going into the merits of the case and in view of the limited prayer made by the learned counsel for the applicant, the respondents are directed to treat this OA No.687 of 2021 as fresh representation and decide the same by passing a reasoned and speaking order in the light of the judgments annexed in the OA within 8 weeks from the date of receipt of certified copy of this order. The order so passed shall be communicated to the applicant without any delay.

7. With this direction, the OA is disposed off at the admission stage itself. No order as to costs.

**(Pratima K Gupta)
Member(Judicial)**

/Neelam/