

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00121/2015
M.A. No. 290/00179/2019

Date of decision: 16.03.2021

CORAM

HON'BLE MRS. JASMINE AHMED, MEMBER (J)
HON'BLE MS. ARCHANA NIGAM, MEMBER (A)

Bhawani Singh Rathore, aged about 59 years, S/o Sh. Bhikh Singh, B/c Rajput, R/o Sardarpura, Near House of Dr. Manmohan Sharma, Near Rai Colony, Barmer, Tehsil and District Barmer (Raj.). At present working as GDS BPM Langeri, Distt. Barmer.

.....Applicant

By Advocate: Mr. Narpat Singh.

Versus

1. The Union of India through the Secretary, Department of Posts, Ministry of Communication, Government of India, Dak Bhawan, Sanasad Marg, New Delhi-110001.
2. The Chief Post Master General, Rajasthan Region, Jodhpur (Raj.).
3. The Post Master General, Western Rajasthan Region, Jodhpur (Raj.).
4. The Superintendent of Post Offices, Barmer Division, Barmer (Raj.)- 344001.
5. The Inspector of Post Offices, North Sub Division, Barmer (Raj.).
6. Branch Post Master, Langeri, Tehsil & District Barmer (Raj.).

.....Respondents

By Advocate: Mr. K.S. Yadav.

ORDER (ORAL)

Per Hon'ble Mrs. Jasmine Ahmed, Member (J)

Present Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking following reliefs:

- a. By an appropriate order or direction the impugned order/communication dated (not mentioned)/12/2014 (Annexure A/7) may kindly be declared illegal and quashed to the extent of treating the services of the applicant as temporary attachment and to further extent of adversely affecting the rights of the applicant with all consequential benefits and the respondents may further be directed to allow the applicant to work on the post of Gramin Dak Sewa Branch Post Master Langer (Barmer) and pay him salary continuously till the date of his superannuation with all consequential benefits.
- b. That, the respondents may also directed to give due promotion to the applicant and make him payment of all his dues of salary and other ancillary monetary service benefits with interest @ 9% p.a. with all consequential benefits.
- c. That the respondents may also directed to treat the services of the applicant continuous w.e.f. initial date of appointment till the date with all consequential benefits and make him all due payments and grant him all service benefits admissible to the post hold by the applicant with all consequential benefits.
- d. That the respondents may also directed to compensate the applicant by paying him a reasonable amount for illegal harassment made with him by the respondents.
- e. Any other relief, which this Hon'ble Tribunal deems just and proper in the facts and circumstances of the application, may kindly be passed in favour of the applicant.
- f. The cost of this application may be awarded in favour of the applicant.

2. At the outset, Mr Narpat Singh, learned counsel for the applicant very fairly states that the main grievance of the applicant has been redressed by the respondents. Hence, he does not wish to continue this OA further. He, however, further states that for other ancillary/consequential reliefs, the applicant may be granted liberty to file representation before the respondents.

3. At this point of time, Mr K.S. Yadav, learned counsel for the respondents states that he has also filed M.A. No. 290/00179/19 for dismissal of the OA for the reasons mentioned by learned counsel for the applicant.

4. In view of the statements made at Bar by learned counsels for the parties, present OA is disposed of as having been withdrawn with a liberty to the applicant to file representation in regard to other ancillary reliefs/consequential reliefs before the appropriate authority. M.A. is also disposed of accordingly.

(ARCHANA NIGAM)
MEMBER (A)

ss

(JASMINE AHMED)
MEMBER (J)