

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW
(HEARING THROUGH VIDEO CONFERENCING)**

Sl. No. 3

O.A. No. 332/00308/2017

Dated: 21.10.2020

HON'BLE SMT. MANULA DAS, MEMBER (J)
HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)

Ramesh Chandra Bajpai, aged about 57 years, son of Late Sri Radhey Shyam Bajpai, R/o 525/265 Old Mahanagar, Lucknow.

..... Applicant

By Advocate: Shri Deepak Shukla

Versus

1. Union of India through Secretary Ministry of Communication & Information Technology, Dak Bhawan, New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Senior Superintendent of Post Offices, Lucknow Division, Lucknow.

..... Respondents

By Advocate: Shri Shobhit Saxena

ORDER

By: Hon'ble Mr. A. Mukhopadhaya, Member (A)

At the outset, learned counsel for the applicant reiterated the pleadings in the O.A to the effect that

the applicant, while being eligible for promotion as MTS had been overlooked by the respondents and two persons junior to him namely Shri Ram Bharat and Shri Rakesh Kumar were promoted on 04.01.2016. He further stated that the omission had not been corrected despite his representation to them. He prayed that the applicant may be promoted to the post of MTS with effect from the date on which his above mentioned juniors were promoted.

2. Learned counsel for the respondents, Sri Shobhit Saxena, in his arguments, pointed out that in the Counter Affidavit/reply to the O.A, the respondents have clearly stated that there was no bias against the applicant and that he had not been promoted due to some misinterpretation to the rules. He further prayed that in view of the of applicant's promotion now being under consideration by the respondents, the O.A may be deemed infructuous as nothing substantive remains in this case and justice will be done with the applicant.

3. Given the foregoing position, the O.A is allowed. The respondents are directed to finalise the promotion of the applicant, (since retired), from the date on which

his juniors, namely Shri Ram Bharat and Shri Rakesh Kumar were promoted and grant him all consequential benefits of such promotion including arrears of pay and allowances as well as post retiral benefits, (as he is retired), as per rules. The whole exercise will be completed within a period of one month from the date of receipt of a certified copy of this order. There shall be no order as to costs.

(A.MUKHOPADHAYA)
Member (A)

(SMT. MANJULA DAS)
MEMBER (J)

JNS