

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No.689 of 1994

Krishna Nand Bhatt ..... Applicant

Versus

Union of India & others ..... Respondents

HON'BLE MR. S.DAS GUPTA MEMBER (A)  
HON'BLE MR. TL VERMA MEMBER (J)

(By Hon'ble Mr. S.Das Gupta -AM)

The petitioner in this case was serving as Extra Departmental Branch Post Master (EDBPM) at Tilsari, Distt. Almora. The applicant was put off duty on 25-10-93 by the S.D.I. respondent no.3 vide his order dated 25-10-1993 (Annexure A-1). This was subsequently confirmed by the respondent no.2 vide his order dated 8-11-1993 (Annexure A-2). The applicant was issued a charge sheet on 22-2-1994 but the departmental enquiry is yet to commence. The applicant is not being paid any allowance in the nature of subsistence allowance since he was put off duty.

2- Bangalore Bench of the Central Administrative Tribunal, while deciding the O.A.No.552 to 556 of 1987 vide its order dated 15-7-1988 (A T S L J 1988(3) CAT Page48) had held that rule-9(3) of P & T E D A (Conduct & Service) Rules 1964 is violative of article-14, hence it was struck <sup>down</sup> ~~off~~ with the direction to formulate new rules.

3- In view of the facts and circumstances of the case, the applicant may submit a representation to the respondent no.2 for payment of subsistence allowance during the period <sup>of</sup> put off duty in the light of the order of the C.A.T. Bangalore Bench as referred to above. The respondents are directed to consider the representa-

tion submitted by the applicant within a period of three months from the date of receipt of the same by a reasoned and speaking order.

4- The application is disposed of at admission stage with the above direction.

*Jh*  
MEMBER (A)

*[Signature]*  
MEMBER (A)

DATED : Allahabad 24th May, 1994.

(IS PS)

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Diary NO 1820/94  
Additional Bench At Allahabad  
Date 27.04.94

Date of  
by Post  
By Registrar  
27/4/94

NO LEAD  
FCR 04.05.94  
Wijay Kumar  
Bar  
Sole C.D. Bhargava  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL  
BENCH AT ALLAHABAD.

Original Application No. 629 of 1994  
( Under Section 19 of the Administrative Tribunal  
Act, 1985 )

DISTT: ALMORA

Krishna Nand Bhatt S/O Sri Siromani Bhatt.  
Resident of Village Tilsari, Post Tilsari,  
Tehsil Bageshwar, District: Almora

..... Applicant

VERSUS

1. Union of India through Secretary,  
Ministry of Postal communication,  
new Delhi.
2. Superintendent of Post Office, Almora.
3. S.D.I. Post Bageshwar( North) Sub Division  
Bageshwar.

..... Respondents.

Details of the Application

1. Particulars of the order against which the  
application is made:-



27/4/94