

Open Court

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

ORIGINAL APPLICATION NO. 15 of 2002.

Allahabad, this the 07th day of October, 2002.

Hon'ble Maj Gen KK Srivastava, A.M
Hon'ble Mrs. Meera Chhibber, J.M.

Rudra Singh Kunwar son of Ranjit Singh,
resident of Village Malasi,
Post Office Lasyan, District Chamoli,
Uttranchal.

.....Applicant.

By Advocate: Sri G.C. Gehrana

Versus.

1. Union of India through Secretary Ministry of Telecom Post and Telegraph Department, New Delhi.
2. Chief Post Master General, Post Office, Dehradun, Uttranchal.
3. Superintendent, Post Office, Chamoli Division, Gopeshwar, Uttranchal.
4. Director General, Post Offices, New Delhi.

.....Respondents.

By Advocate: Sri R.C. Joshi

O R D E R (Oral)

(By Hon'ble Mrs. Meera Chhibber, JM)

By this O.A., the applicant has sought the following reliefs:

- a) Issue an order or direction in the nature of mandamus directing the respondents to modify the order dated 20.11.2001 and to include the name of the applicant in the list of promotion in the higher scale of pay Rs.4500-7000/-
- b) Issue an order or direction commanding the respondents to pay the arrears of his salary with effect from 1983 when his junior Pushkar Singh Khati was posted.
- c) Issue an order or direction commanding to the respondents to fix the salary of the applicant over and above his junior Pushkar Singh Khati who is being given Rs.5,125/- per month and the applicant is being given only Rs. 4,900/- per month.
- d) Issue an order or direction commanding the respondents to fix his salary accordingly and pay the arrears since

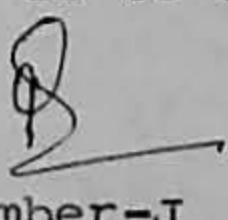


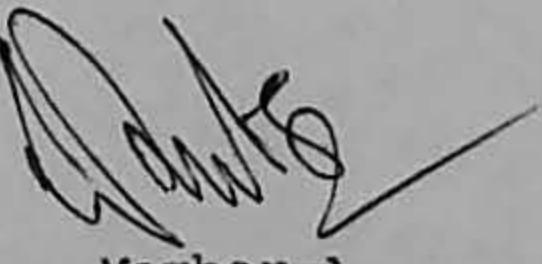
1983 to date.

8) Such any other or further order or direction which Tribunal deem fit and proper in the facts and circumstances of the case.

2. It is stated by applicant's counsel that even though he was selected in the year 1982, he was not given promotion while his juniors were given promotion. Subsequently, in the year 1986, the applicant ^{was P2} restored ~~to~~ his seniority with effect from the same date, when his juniors were appointed on the basis of ~~panel~~ ^{P2} prepared in the year 1982-83. The grievance of the applicant is that even though his seniority was restored, he was not given the benefit of fixation of pay ^{P2} from the same date. As a result of which he is getting lesser pay than his juniors. It is also submitted that he has not been considered for the next promotion alongwith the juniors. For this grievance, the applicant has already given the representation to the respondents, which is Annexure-10 addressed to Superintendent of Post Offices, Chamoli (Respondent No.3), but the same has still not been decided, which was followed by a notice dated 18.02.02 by the advocate ~~and~~ ^{has been marked} ~~as~~ ^{P2} Annexure-11 but till date no reply has been given to the applicant on the basis of his representation ~~and~~ ^{P2} the notice sent ^{P2} to the advocate. We think that this O.A. can be disposed of at the admission stage itself by giving a direction to the respondent No. 2 to give a detailed reply on the notice sent by the Advocate, (which is annexed as Annexure-11 with the O.A.) within a period of 3 months from the date of receipt of copy of this order intimating the applicant. With the above direction, the O.A. is disposed of. It shall be open to the applicant to challenge the order, if he is still aggrieved.

No order as to costs.


Member-J


Member-A