

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH : ALLAHABAD

Original Applicant No.631 of 2003

Monday , this the 2nd day of June,2003

Hon'ble Maj. Gen. K.K.Srivastava, A.M.

Hon'ble Mr. A.K.Bhatnagar, J.M.

Amit Kumar Mishra,  
S/o Surendra Narain Mishra,  
R/o 37-A Chaudhry Mohalla,  
District - Bareilly.

.... Applicant.

(By Advocate : Shri R.K.Mishra)

Versus

1. Union of India,  
through its Secretary,  
Department of Post,  
Ministry of Communication,  
Dak Bhawan, Sansad Marg,  
New Delhi.
2. Senior Superintendent of Post Offices,  
Bareilly Region, Bareilly.
3. Senior Post Master,  
Bareilly Region, Bareilly.
4. Sub Divisional Inspector of Post Offices,  
West Division, Bareilly.

.... Respondents.

(By Advocate : Shri G.R.Gupta)

ORDER (ORAL)

By Hon'ble Maj. Gen. K.K. Srivastava, A.M. :

In this OA filed under Section 19 of A.T. Act, 1985,  
the applicant has prayed for direction to the respondents

Contd....2.


to pay his monthly allowances as E.D. Messenger w.e.f. September, 2002.

2. The facts, in short, are that the applicant was appointed as E.D. Tele Messenger Aonla district Bareilly vide order dated 4.4.1999. He has been working on the post continuously without any break. It is also stated by the applicant that he is still working on the post. However, his monthly allowances have been stopped by the Senior Post Master, Bareilly illegally. The applicant has also stated that when he approached Senior Post Master he has told that he cannot be given any allowances in absence of the appointment order.

3. The applicant made several representations before Senior Post Master Bareilly and S.P.M. Prem Nagar Bareilly to no avail.

4. We have heard the counsel for the parties, considered their submissions and perused records. On perusal of records, we find that the respondent No.4 had written a letter addressed to Senior Post Master Bareilly on 21.11.2002 to settle the issue regarding non payment of allowances of the applicant early. The letter of respondent No.4 has been filed as (Annexure-4). The respondent No.4 again addressed Senior Post Master on 31.4.2002 (Annexure-5). However, the Senior Post Master did not take any concrete step to redress applicant's grievance.

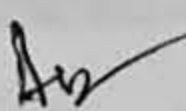
5. The applicant has annexed his appointment letter dated 4.4.1999 (as Annexure-1). He has also annexed a memo dated 7.6.2001 (as Annexure-2) by which the services of the applicant have been confirmed/regularised. The copies of the same were supplied to Senior Post Master Bareilly, yet he remained indifferent to the issue. We regret to observe that the Senior

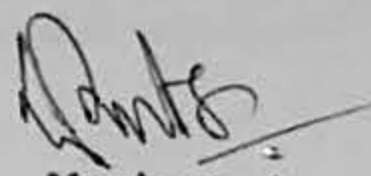
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Post Master Bareilly i.e. respondent No.3 has shown absolute apathy towards his devotion to duty. We do not appreciate such an irresponsible attitude of Senior Post Master Bareilly who is a gazetted officer. We would like the respondent No.2 i.e. Senior Superintendent Post Officer, Bareilly to take suitable notice of the omission on the part of the Senior Post Master Bareilly besides getting the claim of applicant finally settled.

6. We dispose of this OA at the admission stage itself by direction to respondent No.2 to decide the representation of the applicant so filed within a period of one month by a speaking order. In case it is established that the applicant has been illegally denied his rightful claim by respondent No.3, the respondent No.2 shall initiate necessary disciplinary proceedings against respondent No.3 by referring the matter to PMG Bareilly. There shall be no order as to costs.

  
Member-J

  
Member-A

RKM/