

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 19th DAY OF JANUARY, 2010)

PRESENT

HON'BLE MR. JUSTICE A. K. YOG, MEMBER (J)

ORIGINAL APPLICATION NO. 1024 OF 2007

(Under Section 19, Administrative Tribunal Act, 1985)

Mahngoo Ram, Aged about 61 years, S/o Maneshwar, R/O Vill & Po. Zeera Basti, Distt. Ballia (U.P.)

.....Applicant.

By Advocates :- Shri A. K. Ray

Versus

1. Union of India, Through the Secretary Ministry of Communication, Department of Post, Dak Bhawan, Sansad Marg New Delhi.
2. Superintendent of Post Offices, Balia Div. Ballia.
3. Sub Divisional Inspector, (Central), Sub Division, Ballia.

.....Respondents

By Advocate:- Shri S. C. Mishra
Shri S. Singh

ORDER

(DELIVERED BY HON'BLE MR. JUSTICE A. K. YOG, MEMBER (J))

Heard learned counsel for the applicant and Shri Firoz Ahmad Additional Standing Counsel, appearing on behalf of the respondents.

2. Perused the pleadings and the documents Annexed therewith, particularly para 8 of the O.A. (which contained relief claimed in the present O.A) reads:-

"i. Issue a Writ, order or Direction in the nature of certiorari for calling the relevant records pursuant to which the Applicant alleged to have been retired on attaining the age of superannuation, and quash the same.

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ii. *Issue a Writ, Order or Direction in the nature of mandamus commanding the respondents to reinstate the Applicant in service as he was never been superannuated with all consequential benefits.*

iii. *Issue a Writ order or Direction in the nature of mandamus commanding the respondents to make payments of arrears for the intervening period alongwith the interest at the Rate of 18%.*

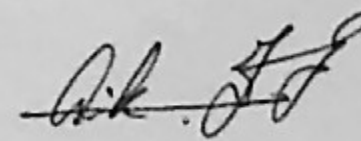
iv. *Award the cost of the Original Application to the applicant."*

3. Applicant has not filed copy of the order which he seeks to impugn.

It is well settled that writ of certiorari cannot be issued without bringing 'impugned order' on record.

4. In view of the above, the applicant is directed to submit an 'application' alongwith certified copy of this order before Concerned Competent Authority/Respondent No. 2 i.e. Superintendent of Post Offices, Ballia Div. Ballia, within 4 weeks from today and the said authority shall (provided application with certified copy of this order is filed as stipulated/ contemplated above), ensure to provide copies of the order prayed for by the applicant within one month of receipt of the same.

5. The O.A. stands disposed of finally at this stage with liberty to the applicant to raise his grievances before appropriate forum in accordance with law in future (if required). No costs.


Member-J

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