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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

Original Application No. 309/2004

Date of Decision: 24.12.2004

CORAM:

HON'BLE MR. G.R. Patwardhan, Administrative Member

Amba Shankar Uppadhyा son of Shri Har Prasad, aged 57 years, Assistant Post Master, Kankroli, District Raj Samand, r/o village Kelwara, District Raj Samand..

.....Applicant.

[Mr. Vijay Mehta, Counsel for the applicant.]

VERSUS

1. Union of India, through the Secretary to the Government, Ministry of Communication (Dept. of Posts) Sanchar Bhawan, New Delhi.
2. Post Master General, Rajasthan, Southern Region, Ajmer.
3. Chief Post Master General, Rajasthan, Jaipur.
4. Senior Superintendent of Post Offices, Udaipur.

...Respondents

**ORDER
(BY G.R. Patwardhan, Adm. Member)**

O.A. No. 309 of 2004 has been filed by Amba Shankar Uppadhyा working as Assistant Post Master at the village Kankroli, district Raj Samand against Secretary to the Government, Department of Posts, PMG, Rajasthan, Ajmer, CPMG, Rajasthan Jaipur and Senior Superintendent of Post Offices, Udaipur. There is no specific order that is under challenge-only the apprehension that seniority of the applicant in HSG I will be interfered with under the pretext of amendment

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of recruitment rules and so the respondents should be restrained from interfering with the seniority acquired by the applicant. The learned counsel for the applicant has been heard. He has invited attention to a case decided by the Chennai Bench of the Tribunal-O.A. No. 679/03 in which Mr. K.Permulal was a party to show that a similar controversy was decided earlier by another Bench of the Tribunal at Chennai and Tribunal there directed the respondents to consider the case of the applicant for further promotion. A copy of that order is placed at Annex. A/17.

12. A Bench of this Tribunal has already considered similar issue and the respondents were directed to treat the O.A. as representation and pass a reasoned and speaking order within a period of 90 days.
3. In that view of the matter, the application is disposed of with directions to respondents to treat this O.A. as representation and pass a reasoned and speaking order within a period of 90 days of the receipt of this order. It is made clear that in the meantime the respondents shall not transfer the applicant solely on consideration of norm based persons having become available. The applicant will be at liberty to approach the Tribunal again if so advised. No order as to costs.

GP
26/12/04
(G.R. Patwardhan)
Member (A)

Lalit

Regd D. Copy Jorder
with permission Copy send
to Rtd RY, vide no 287 to 290
all 29.12.04

*Received
S. R. S.
29/12/04*

Part II and III destroyed
in my presence on 31.10.2013
under the supervision of
section officer (J) as per
order dated 18.11.2013

*S. R. S.
Section officer (Record) 31.10.2013*