

Mr. P.C. Verma, counsel for the applicant.

Mr. Vinit Mathur, Counsel for the respondents.

The learned counsel for the applicant submits that he may be allowed to withdraw this O.A. on the ground that relief claimed for has already been accorded to the applicant. The permission to withdraw the O.A. is allowed. The interim relief already granted stands vacated forthwith.

(J K Kaushik)
Judl. Member.

(V K Majotra)
Vice Chairman

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Praveen choudhary
30/1/06

Part II and III destroyed
in my presence on 3/11/14
under the supervision of
section chief (1) as per
order dated 3/11/2014

Original Application No. 025305
Date of Order 12/07/2002

3/4/11

[illegible]

As regards the incident itself, the learned counsel for the applicant has submitted that the respondents issued a notification vide which applicants were invited for writing on the post of Group "C" and Postman during the period when there is vacancy due to the leave or otherwise on the said post. The applicant applied for the same and has been working on the post of Postman but the respondents have adopted an unfair labour practice of giving certain days while allowing the incumbents to work on the said post. Similarly, the applicant has now been ordered to be relieved leaving the post in vacant. He has also submitted that neither any selection had been held for the post of Postman nor any selected candidates is otherwise given the appointment but the applicant has been ordered to be relieved keeping the post vacant for no good reason except to give artificial break. He has contended that the applicant has rendered service to the Government for a long time and he is a good employee. He has also submitted that the charge of the post is still with the applicant and he has not so far been relieved and the impugned order Annexure A/1 has not so far been given effect to.

I have considered the submissions and pleadings put forth on behalf of the applicant. Keeping in view of the facts and circumstances of this case and the finding down by the Apex Court in State of Haryana v. Syed Ali Raza Rizvi, 1991 AIR 2130, I find it expedient that the operation of the impugned order dated 31.12.2008 (Annexure A/1) should be stayed till the next date. Ordered accordingly.

(MTHUAK H C)
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