2/15

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR

Original Application No. 117/2009

Date of decision: 6.9.2011

CORAM: HON'BLE DR. K.B. SURESH, MEMBER (J) & HON'BLE MR. SUDHIR KUMAR, MEMBER (A)

Balu Ram Ramroti s/o Shri Chain Ram, aged 48 years, G.D.S. BPM Semnop presently posted as Postal Employee, army Postal Services, c/o 56 APO, R/o Village Semnop, District Pratapgarh.

..... Applicant

Mr. Vinay Mehta , Counsel for the applicant.

Versus

1. Union of India through the Secretary, Ministry of Communication, (Department of Post), Sanchar Bhawan, New Delhi.

2. Superintendent of Post Offices, Chittorgarh.

3. Director of Postal Services, Southern Region, Rajasthan, Ajmer.

..... Respondents

Mr. M.S. Godara, Advocate proxy for Mr. Vinit Mathur ,counsel for the respondents.

ORDER

Per Dr. K.B. Suresh, Member (Judicial)

Heard both the counsels.

2. Since, the question involved the competency of the respondent to review and correct his own order, whether it may have been issued erroneously or not, and since we as the adjudicatory

body had a duty to respond to truth as the very basis of the justice delivery system, we asked the learned counsel for the applicant whether or not actually the applicant was eligible for his promotion. The learned counsel for applicant very graciously admitted that in fact he was not eligible at that time.

3. It is possible in administration that by wrong understanding orders may be passed granting benefits to people or refusing it, but unless truth is allowed to come out stable foundation of good governance cannot be ensured and administrative set up would fail. Therefore, we are inclined to accept the contention of the 2nd respondent. It would seem that vide Annexure R/1, later, the applicant has been promoted, therefore there is no controversy to be adjudicated at this point any further. The O.A. is dismissed with no order as to costs.

(SUDHIR KUMAR)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER (J)

SK