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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR**

Original Application No.322/2012

**Date of decision: 14.08.2012**

**CORAM:**

**HON'BLE Mr. B.K.SINHA, ADMINISTRATIVE MEMBER.**

P.C. Yadav S/o Shri Nand Ram, aged about 50 years, by caste Yadav (SC), R/o H.No.58 Neelkanth Colony, Pratap Nagar, Chittorgarh, District Chittorgarh, Office Address :HO Chittorgarh (Postal Deptt.), employed as SPM at Bagon Post Office.

: Applicant

**Mr. S.P. Singh, counsel for applicant.**

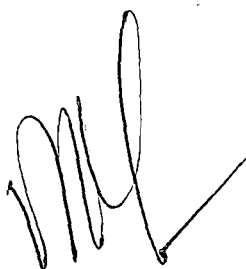
**Versus**

1. Union of India through the Secretary, Government of India, Ministry of Communication, Department of Post, Dak Tar Bhawan, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur-302007.
3. The Director, Postal Services, Rajasthan, Southern Region, Ajmer.
4. Superintendent of Post Offices, Chittorgarh Division, Chittorgarh.

.....Respondents

**ORDER (ORAL)**

Heard the learned counsel for the applicant.

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2. Applicant, P.C. Yadav, was appointed as Postal Assistant on 01.07.1983. He has since not been allowed to cross the Efficiency Bar for the years 1991, 1992 & 1993 in continuum and his increments for the period have been restrained. The case of the

applicant is that no opportunity was given to him for removal of his defects as was wont to have been given to him under the Rules. It was incumbent upon the respondents to disclose the defects noted in his working to him so that he could improve his performance. The applicant further alleges prejudice on part of the SPO one S.C. Singhal, and informs that his mercy petition (Annexure-A/5) was kept pending for consideration before the competent authority for an inordinate period before it was finally rejected. It appears from the perusal of the record that the respondents have rejected the same on the ground that there is no provision for such petition in the rules. Taking cognisance of this fact the applicant is directed to file an appeal before the Appellate Authority, which the Appellate Authority shall dispose of within two months after having given the due opportunity to the applicant to appear in person and present his case under the existing rules, by a reasoned order.

3. With the above observations, the OA is disposed of.

  
[B.K.Sinha]  
Administrative Member

Redwyn D  
Wdr.  
Se ADW  
22/8/12