

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH**

**Original Application No. 409/2006  
This the 05<sup>th</sup> day of November 2008**

**HON'BLE MR. M. KANTHAIAH, MEMBER (J)**

**HON'BLE DR. A.K. MISHRA, MEMBER (A)**

Raj Kumar Dwivedi aged about 48 years son of Sri Mata Prasad Dwivedi R/o 86/3, Maqboolbanj Sarojani Devi Lane Lucknow-18 at present working as E.D.S.V. Aminabad Park Post Office, Lucknow.

...Applicant.

**By Advocate: Shri R.S. Gupta.**

Versus.

1. Union of India through the Secretary cum D.G. Department of Post Dak Bhawan, New Delhi.
2. Chief Postmaster General U.P. Lucknow.
3. Senior Superintendent of Post Offices, Lucknow.
4. Sri Sandeep Kumar GDS Packer Sector 14 Post Office, Indira Nagar, Lucknow.

... Respondents.

**By Advocate: Shri G.K. Singh.**

**ORDER (Oral)**

**BY MR. M. KANTHAIAH, MEMBER JUDICIAL.**

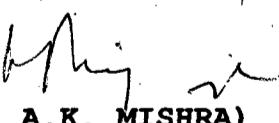
Heard both sides.

2. The applicant has filed OA to issue a direction to the respondents to quash the selection order in postman cadre made vide order Dt. 27.2.2006 (Ann.A-1) and seeking for his appointment with consequential service benefits.
3. It is the case of the applicant that after the selection order covered under Ann-A-1 Dt. 27.2.2006, he also made a representation to the Respondent No.1 but the

said representation is still pending for consideration. At this stage, counsel for applicant states that if his pending representation is disposed<sup>d</sup> and an appropriate order is passed as per rules the purpose of OA would be served.

4. The learned counsel for respondents submits that no such representation has been received by the respondent authorities and also submitted that subsequently, the applicant has been selected in the cadre of postman on 18.10.2007 whereas, the claim of the applicant is from 27.2.2007. When the representation of the applicant is still pending giving any direction allowing the claim of the applicant is not justified at this stage.

5. In view of the above circumstances, for a fair and just disposal of the proceedings and to avoid multiplicity of the proceedings, the application is disposed of with a direction to the Respondent No.1 to consider the pending representation of the applicant Dt. 04.03.2006 (Ann.-A-9) pass reasoned order as per rules within a period of three months from the date of supply of the copy of this order. The applicant is also directed to supply the copy of her representation Dt.04.03.2006 (Ann.-A-9) to Respondent No. 3 for forwarding to Respondent No.1 for decision along with the copy of this order. No order as to costs.

  
(DR. A.K. MISHRA)

MEMBER (A)

  
(M. KANTHAIAH)

MEMBER (J)

05.11.2008