

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 4/2009

This the 17th day of February, 2010

Hon'ble Mr. Justice A.K. Yog, Member (J)

Hon'ble Dr. A.K.Mishra, Member (A)

O.P. Verma, aged about 63 years son of Sri Shyam Baran Prasad retired Chief Post Master, Lucknow, GPO, resident of 121, Samar Bihar, Alambagh, Lucknow.

Applicant

By Advocate: Sri R.S.Gupta

Versus

1. Union of India through Secretary, Department of Post, Dak Bhawan, New Delhi-110001.
2. Director General, Department of Post, Dak Bhawan, New Delhi-110001.
3. Chief Post Master General, U.P., Lucknow.
4. Director of Accounts (Postal) UP. Aliganj, Lucknow.

Respondents

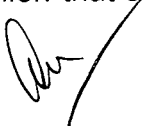
By Advocate: Sri Yogesh Kesharwani

ORDER (ORAL)

Hon'ble Mr. Justice A.K. Yog, Member (J)


Heard counsel for applicant Sri R.S. Gupta as well as Sri Yogesh Kesarani, Additional Standing Counsel on behalf of the respondents.

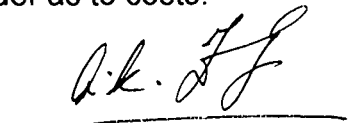
2. According to the applicant, he has filed representation dated 21.5.2008 (Annexure 6 of compilation II of O.A.). While case was taken up for hearing, learned counsel for applicant informs that said representation has already been decided but he is not in possession of the order deciding the said representation. Learned counsel for applicant then referred to the pleadings contained in para 4.5 of the O.A. We inquired from the learned counsel for the applicant to point out whether he has raised the said pleadings in the representation dated 21.5.2008 (referred to above). Learned counsel for applicant, however, failed to show and we are satisfied that pleadings contained in para 4.5 of the O.A. has not been raised before the concerned authority while filing the representation. In view of the above, taking into account totality of the facts of case and in the ends of justice, we are of the opinion that applicant be provided with a copy of



order deciding the said representation, provided that he file^{an} a certified copy of this order before the competent authority within 4 weeks from today. Authentic copy of the order, deciding the said representation shall be supplied within 6 weeks of receipt of certified copy of this order. The applicant shall, thereafter, be entitled to file fresh comprehensive representation taking all the pleadings which are available or as he may be advised to raise before the concerned authority. Thereafter, respondent No.2 i.e. Director General is directed to decide the fresh comprehensive representation of the applicant as contemplated/stipulated above in this order within 3 months by passing a reasoned /speaking order in accordance with law.

3. Original Application stands disposed of without any order as to costs.


(Dr. A.K.Mishra)
Member (A)


(A.K. Yog)
Member (J)

HLS/-