

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.442/2009

This the 05th November, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)
Hon'ble Dr. A.K. Mishra, Member-A

G.P. Bajpai, aged about 51 years, S/o Lalta Prasad Bajpai, R/o E-2/391, Sector-F, Jankipuram, Lucknow.

.....Applicant

By Advocate: Sri A.P. Singh.

Versus

1. Union of India through the Secretary Ministry of Communication & I.T., Department of Post, Govt. of India, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Director General of Postal Services, Govt. of India, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-110001.
3. Chief Post Master General, Department of U.P. Circle, Luckno-226001.

.....Respondents

By Advocate: Shri S.P. Singh.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

By means of this application the applicant seeks direction to the respondents to decide the representation dt.08.01.2009 (Annexure-A-4) filed by the applicant.

2. The facts as alleged in the OA are that the applicant while working as Assistant Superintendent in the office of Respondent No.3 appeared in the examination held on 16/17.02.2008 for promotion to the post of P.S. Group-'B'. The result of the aforesaid examination was declared but he failed. The Tabulation sheet is also on record as contained in Annexure-1 (2), which shows that the applicant has secured 88, 94 and 80 marks in Paper No.1, 2 and 3 respectively but he secured 40



marks in Paper No.4 therefore, he was not declared successful. Aggrieved by the aforesaid marks awarded in Paper No.4, he filed a representation with a prayer to reevaluate the Answer Book of Paper No.4. The representation is still pending, hence, this OA.

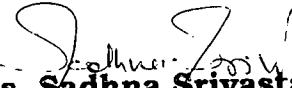
3. Counsel for respondents Shri S.P. Singh submits that since the applicant did not secure qualifying marks in Paper No.4 therefore, he was not declared successful. He further submitted that the applicant has not filed representation before the competent authority.

4. At this stage, counsel for applicant submits that the competent authority may be directed to treat this OA as representation and decide the same. The learned counsel for respondents has no objection to the prayer made by the applicant.

5. Keeping in view the submissions made by the counsel for both the parties, we hereby direct the competent authority to treat this OA as representation of the applicant and decide the same by passing a reasoned and speaking order in accordance with rules within a period of three months from the date of supply of the copy of this order alongwith the copy of OA.

6. The OA is disposed of accordingly. No order as to costs.


(Dr. A.K. Mishra)
Member-A *CS/1/12*


(Ms. Sadhna Srivastava)
Member-J