

(61)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No.399/87.

Shri Babu Nathu Jadhav,
A/p Takli Dhokeshwar,
Tal. Parner,
Dist. Ahmednagar.

...Applicant.

V/s.

1. The Sr. Superintendent
Post Office,
Ahmednagar Division-414001.
2. Post Master General,
Maharashtra Circle,
Bombay - 400 001.

...Respondents.

Coram: Hon'ble Vice-Chairman, Shri B.C.Gadgil,
Hon'ble Member(A), Shri P.S.Chaudhuri.

Appearances:

Mr.C.Nathan, advocate
for the applicant and
Mr.S.R.Atre (for
Mr.P.M.Pradhan) for
Respondents.

Oral Judgment:

(Per Shri B.C.Gadgil, Vice-Chairman.)

Dated: 12.9.1988

Heard Mr.C.Nathan for the applicant and Mr.S.R.Atre (for Mr.P.M.Pradhan) for the respondents. The applicant was serving as a Postal Assistant at Bodhegaon. His services were terminated forthwith by an order dt. 1.9.1986. Of course, the order contains a direction that the applicant should be paid one month's salary etc. The applicant has challenged this order by filing Original Application No.399/87.

2. When the matter came up before the Tribunal on 26.7.1988 we directed the respondents to consider the representation of the applicant preferred by him on 28.10.1986. The Additional Post Master General, Bombay by his order dt.10/11th August, 1988 has passed an order that the applicant should be reinstated with immediate effect, a copy of the order is produced for our perusal and is taken on record. The applicant has joined his service on 22nd August, 1988.

3. Mr.Nathan submits that in view of this reinstatement order we should give a direction to the respondents to pay all

...2.

R.S.

the arrears of the salary from the date of termination till reinstatement. Mr. Atre stated that under the rules the concerned authority would be passing an appropriate order and that the applicant may file an independent proceeding if he is dissatisfied by that order. In our opinion, this ~~suggestion made~~^{submitted} by Mr. Atre is reasonable. Hence we pass the following Order.

ORDER

The application is disposed of as not surviving on account of the reinstatement of the applicant mentioned in this judgment. The respondents are directed to pass an appropriate order regarding the payment or otherwise of the salary of the applicant from the date of termination till reinstatement. This order should be passed expeditiously, say within a period of two months from today. We make it specifically clear that the applicant would be at liberty to come to this Tribunal in case the order goes against him. With these directions the application is disposed of with no order as to costs.



(P.S. CHAUDHURI)
MEMBER (A)



(B.C. GADGIL)
VICE - CHAIRMAN