

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:395/2001

DATE OF DECISION: 8.6.2001

Shri Vithal Jagannath Kapatkar Applicant.

Shri S.P. Tnamdar Advocate for
Applicant.

Versus

Union of India and others. Respondents.

Smt. H.P.Shah Advocate for
Respondents

CORAM

Hon'ble Shri Justice, B.Dikshit, Vice Chairman
Hon'ble Shri B.N. Bahadur, Member(A)

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to
other Benches of the Tribunal?

(3) Library.

B.N. Bahadur
(B.N. Bahadur)
Member(A)

NS

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 395/2001

FRIDAY the 8th day of JUNE 2001

CORAM: Hon'ble Shri Justice B.Dikshit, Vice Chairman

Hon'ble Shri B.N.Bahadur, Member(A)

Vithal Jagannath Kapatkar
Resident of H.No 246
Survey No. 17,
Sukhsagar Nagar,
Part -2, Katraj, Pune.

...Applicant.

By Advocate Shri S.P. Inamdar.

V/s

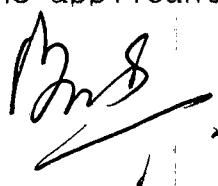
1. Union of India through
Director General Posts
"Dak Bhavan", Ministry of
Communication, New Delhi.
2. The Chief Post Master General
Maharashtra Circle,
G.P.O. Compound, Mumbai.
3. Sr. Superintendent RMS
"B" Division, Pune.Respondents.

By Advocate Shri H.P. Shah.

ORDER (ORAL)

{Per Shri B.N. Bahadur, Member(A)}

This application has been filed by Shri V.G.Kapatkar seeking the relief, in substance that it be determined and declared that the date of promotion of the Applicant under the BCR Scheme is 5.1.1992 and not 1.7.1992, since this is the date on which he became eligible for promotion under the aforesaid scheme, on completion of required number of years of service. We have perused the application and have heard the learned counsel for the applicant, Shri S.P. Inamdar in the matter. The learned



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counsel for the applicant reiterated the facts and contentions made in the Application and further stated that he had made representations dated 21.10.1995 addressed to the Chief Post Master General, Maharashtra Circle. He had followed it up with reminders on 1.11.2000 and 11.5.2001. Copies of the aforesaid representations are annexed at A-3 and A-4 of this OA.

2. The matter is in a short compass only a change in the date of operation of promotion orders is being sought i.e. 5.1.1992 instead of 1.7.1992.

3. At our instance Smt. H.P. Shah has taken notice on behalf of the respondents. Copies furnished.

4. We have carefully considered all papers and arguments made. We dispose of the OA with the direction to the respondent No.2 (Chief Post Master General, Maharashtra Circle) to consider and dispose of the representation of the applicant dated 21.10.1995 on merits and in accordance with law by passing a speaking order. The applicant shall be informed of the decision taken. This order shall be implemented within a period of three months from the date of receipt of copy of this order.

5. In case the applicant is aggrieved by the decision taken by the Chief Postmaster General, he will be at liberty to move for redressal of his grievance as per law. There will be no order as to costs.

6. Copy of the order by furnished to the parties by 12.6.2001.

B.N.Bahadur

(B.N.Bahadur)
M(A)

NS

B.Dikshit

(B.Dikshit)
VC