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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

OA No. 231/98

Date of order: 15.2.1999

Chandresh Kumar S/o Shri Mohan Lalji Gautam, aged about 32 years, resident of Tel Factory, Bara - 25205, Distt. Bara, last employed on the post of Casual Labour in the office of SRO, Railway Mail Service, Kota.

.. Applicant

Versus

1. The Union of India through the Secretary to the Govt. of India, Ministry of Communication, Department of Post, Dak Bhawan, New Delhi.
2. The Senior Superintendent, Railway Mail Service, Jaipur Division, Jaipur.
3. Sub Record Officer, Railway Mail Service, Kota.

.. Respondents

Mr. C.B.Sharma, counsel for the applicant.

Mr. Tirupati Kandoi, Proxy for Mr. M.Rafiq, Counsel for the respondents

CORAM:

Hon'ble Mr. Ratan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. Ratan Prakash, Judicial Member

Applicant herein has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 to seek a direction against the respondents to declare respondents' order dated 17.1.97 (Ann.A1) as illegal and quash the same and also to reinstate him as Casual Labour with all consequential benefits. In the alternative, the applicant has sought a direction against the respondents to reengage him on the post of ED Mailman forthwith and at par with his junior.

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2. I heard the learned counsel for the applicant and have examined the record in great detail.

3. When the applicant approached this Tribunal earlier in OA No. 673/92 (OA No. 559/90) vide order dated 21.9.94 the respondents were given a direction to consider the case of the applicant in the light of the order dated 25.1.91 (Ann.A4) within a period of 3 months from the date of receipt of the order with a further direction that if the applicant fulfils the requirements laid down therein, the respondents' earlier action would stand quashed. The applicant was also given liberty to move a fresh petition if he still remains aggrieved.

4. From a perusal of the pleadings of the parties, it is made out that after the disposal of the earlier OA, both the applicant and one other person Shri Nand Kishore Koli were called to produce the original documents listed therein by 31.1.1997. The respondents have stated that after the issuance of the aforesaid letter Shri Nand Kishore attended their office but the applicant failed to attend the office of the Sub Record Officer (respondent No.3). In response to the respondents' letter dated 17.1.97 though the applicant submitted the particulars sought from the applicant alongwith his representation dated 29.1.97; yet the respondents have not extended him the appointment in question. It is also made out that the respondents have not given any reply to the submissions made by the applicant vide his letter dated 29.1.97.

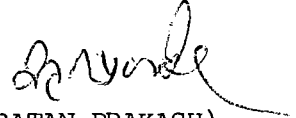
5. Accordingly, the respondents are directed to dispose of the aforesaid representation of the applicant dated 29.1.97 as at Ann.A8 with ⁿⁿ 2 months from the date of receipt of a copy of this order by a speaking, detailed and reasoned order and also intimating the

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applicant. In case the applicant still feels aggrieved, he is given a liberty to approach this Tribunal as per law.

6. The OA stands disposed of accordingly with no order as to costs.



(RATAN PRAKASH)

JUDICIAL MEMBER