

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Jaipur, the 25th day of April 2005

ORIGINAL APPLICATION NO. 616/2003

CORAM:

HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)
HON'BLE MR. A.K. BHANDARI, MEMBER (ADMINISTRATIVE)

S.K. Meena son of Shri Ganga Ram Meena by caste Meena aged about 58 years resident of Village Jatwara, Post Jatwara Via Bansko, presently working as Post Master, Dausa, HO.

.....Applicant

By Advocate: Mr. P.N. Jatti

versus

- 1 Union of India through its Secretary to Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
- 2 Chief Postmaster General, Rajasthan Circle, Jaipur.
- 3 Superintendent Post Offices, Jaipur 'M' Dn., Jaipur.
- 4 Post Master, Dausa Head Post Office, Dausa.

....Respondents.

By Advocate : Mr. N.C. Goyal.

ORDER (ORAL)

Applicant has filed this OA thereby praying for the following reliefs:-

(i)That by a suitable writ/order or direction the respondents be directed to draw the pay and the allowances of HSG-I in the pay scale of 6500-10500 with effect from 11.7.2002 to till the applicant performed the duty in HSG-I as Postmaster, Dausa.

(ii)Any other relief which the Hon'ble Bench deems fit.

2 Notice of this application was given to the respondents. The respondents have filed reply to the OA.

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The applicant has also filed rejoinder. The matter was heard at length. During the course of the arguments, learned counsel for the applicant submits that in fact the post of HSG-I stood already upgraded and Shri Gyan Dan was also recommended by the DPC for promotion to that post but he did not joined the said post. Thus, according to the learned counsel for the applicant, the contention of the respondents in their reply that in view of clarification dated 18.4.2002 (Annexure R/2), the status of the post of Post Master, Dausa Head Office remained HSG-II and not the upgraded post of HSG-I till the date of joining of the official approved by the DPC is wholly misconceived and he wants to challenge this clarification and for that purpose, wants to withdraw this OA with liberty reserved to him to file substantive OA for the same cause of action.

3 In view of what has been stated above, the applicant is permitted to withdraw this OA with liberty reserved to him to file the fresh OA for the same cause of action. It is clarified that it will be permissible for the respondents to raise all permissible objections as per rules.

4 With these observations, the OA is disposed of with no order as to costs.


(A. K. BHANDARI)

MEMBER (A)

AHQ


(M. L. CHAUHAN)

MEMBER (J)