

**Central Administrative Tribunal  
Jabalpur Bench**

Dated Thursday this the 2nd day of March, 2006

OA No.111/06

CORAM

Hon'ble Mr. Justice G. Sivarajan, Vice Chairman

Mahavir  
Son of Shri Dubraj Panika  
R/o Village Jharak, P.S. Sarai,  
Tehsil Deosar  
District Sidhi (MP).

Applicant

(By advocate: None present)

Versus

1. Union of India through  
Secretary  
Department of Post & Telegraph  
New Delhi
2. Superintendent of Post Offices  
Shahdol Division  
Shahdol(MP)
3. Sub Divisional Office  
Department of Post Offices  
Baidhan, Waidhanagar  
District Sidhi (MP)

Respondents

(By advocate Shri A.P. Khare)

ORDER (Oral)

By G. Sivarajan, Vice Chairman

Though this case was called twice this day, there was no appearance. Neither the counsel for the applicant nor the applicant present. Having gone through the matter, I am of the view that this application can be disposed of at the admission stage itself.



2. I have also heard Shri A.P.Khare, learned standing counsel for the respondents.

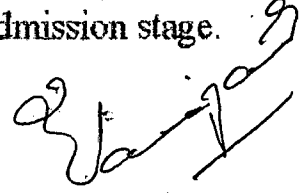
3. The applicant was working under the respondents in the capacity of Extra Departmental Mail Carrier (EDMC for short). The applicant joined the service of the respondents in the year 1980 and retired from the said service on 7.3.2002. Subsequent to his retirement, an order of the respondents required the applicant to deposit two months' salary as being paid in excess. The applicant had deposited the said amount on 19.4.2003, evidenced by A1. The present grievance of the applicant is that he has not been paid his retiral benefits till date though he had filed a representation dated 16.4.2003 (A-2(a) for the same. No decision has been taken yet on the said representation, it is stated. It is also stated that the applicant had deposited the alleged excess payment only on the oral assurance given by the respondents that in case the applicant deposited the excess payment, his retiral dues would be released without delay. It is also stated that since the retiral dues have not been released so far, the applicant is entitled to get back the recovered amount with 18% interest.

4. Learned standing counsel for the respondents submits that since the applicant had already filed a representation and since it is alleged that the respondents have not so far responded to the same, it is a matter for consideration by the respondents themselves at this stage. I find merit in the said submission. Accordingly this OA is disposed of with a direction to the respondents to consider the representation A-2(a) and take a decision thereon in accordance with law as expeditiously as possible at any rate within six weeks from the date of receipt of this order. The applicant will produce this order along with



a copy of the OA and its annexures to the 2<sup>nd</sup> respondent for compliance. The learned standing counsel for respondents will also ensure that the direction issued in this order is complied with.

5. The OA is disposed of as above at the admission stage.



(G. Sivarajan)  
Vice Chairman

aa.

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....

प तिलिपि अउ शित:-

- (1) सविन, उच्च न्यायालय वार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) प्रवासी श्री/श्रीमती/कु.....के काउंसल
- (4) कोर्टपाल, कोर्टआ, जबलपुर ज्यादपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

उप-रजिस्ट्रार

Shri S.K.P. Verma H.C.J.B.P.  
Shri A.P. Ichane H.C.J.B.P.

7/3/02