

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH**

**OA No. 1016/05**

Jabalpur, this the 24<sup>th</sup> day of November, 2005.

**C O R A M**

**HON'BLE MR.M.P.SINGH, VICE CHAIRMAN**

K.L.Patharia  
S/o Shri G.R.Patharia  
R/o 1-Harsh Nagar, Near ITI,  
Hoshangabad (MP). **Applicant**

(By applicant Shri V.Tripathi)

**Versus**

1. Union of India  
Through the Secretary  
Ministry of Communication  
Department of Post  
New Delhi.
2. The Director General (Post)  
Dak Bhawan  
New Delhi.
3. The Chief Post Master General  
MP Circle, Hoshangabad Road  
Bhopal.
4. Shri R.B.Pawan  
Assistant Superintendent of Post Officers (T)  
Muraina (MP). **Respondents**

(By advocate None)

**O R D E R (ORAL)**

**By M.P.Singh, Vice Chairman**

By filing this OA, the applicant has claimed the following reliefs:

- (i) Upon holding that the inaction of the respondents in not accepting the recommendation of DPC and not promoting him



along with his junior is bad in law, command the respondents to forthwith issue the promotion order in favour of the applicant w.e.f the date his juniors were promoted on 26.12.94 with all consequential benefits including seniority, arrears of pay of promotional post and other attendant benefits arising therefrom.

(ii) If necessary set aside the order dated 9.11.98 which has already lost much of its shine in view of the judgment of the Supreme Court and OM dated 24.2.2003.

2. The brief facts of the case are that the applicant is working with the Department of Posts and belongs to the cadre of Inspector of Post Offices. He was due for promotion for the post of Assistant Superintendent of Post Offices. The grievance of the applicant is that his juniors have superseded him. The applicant has submitted a detailed representation dated 22.8.2005 (Annexure A7) which is still pending.

3. In view of the above facts and circumstances of the case, I am of the considered view that ends of justice would be met if I direct respondent No.2-The Director General (Posts), New Delhi- to consider the representation of the applicant dated 22.8.2005 and also consider this OA as part of the representation and take a decision by passing a detailed and reasoned order within two months from the date of receipt of a copy of this order. I do so accordingly.

4. Learned counsel for the applicant is directed to send a copy of this order as well as a copy of the OA to the respondents immediately.

5. The OA is disposed of in the above terms. No costs.

*m/sd*  
(M.P.Singh)

Vice Chairman

aa.

25/11/05

V. Tripathi A.M.T.P

*Forward*  
25/11/05