

**CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH**

OA No. 62/04

Jabalpur, this the 4th day of November, 2004

CORM

Hon'ble Mr.M.P.Singh, Vice Chairman

Hon'ble Mr.Madan Mohan, Judicial Member

Kishore Kumar Gour
S/o Shri Babulal Gour
C/o Sanjay Nagar
Behind Rana Gurjar Bhawan
Burhanpur (M.P.)

Applicant

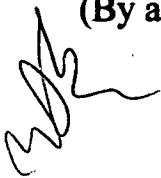
(By advocate Shri V.Tripathi)

Versus

1. Union of India
Through Ministry of Communication
Department of Posts
Sanchar Bhawan
New Delhi.
2. The Chief Postmaster General
MP Circle
Hoshangabad Road
Bhopal.
3. The Director
Postal Services, Indore Zone
Office of Postmaster General
Indore
4. The Superintendent of Post Offices
Khandwa Division
Khandwa.

Respondents.

(By advocate Shri K.N.Pethia)



ORDER (oral)

By M.P.Singh, Vice Chairman

By filing this OA, the applicant seeks to set aside order dated 23.12.2003 (Annexure A1) and a direction to the respondents to provide all consequential benefits to the applicant as if the impugned order is never passed.

2. The brief facts of the case are that the applicant was working as Postal Assistant and was conferred with BCR promotion w.e.f. 1.7.2003. The respondents vide order dated 21.10.2003 have withdrawn the promotion granted to the applicant from July 2003.

3. After filing reply, the respondents have also filed an additional reply under Rule 24 of the CAT (Procedure) Rules, 1987. In this reply, they have stated as follows:

“The applicant has not yet prepared the joining charge report which is a precondition for having the benefit of placement under BCR scheme and has also not given any option for fixation of pay till today. Had the applicant prepared the joining charge report for placement under BCR scheme with effect from 1.7.2003 and given the option for fixation of pay the respondents would have conferred the benefit. The answering respondents further submit that there is no impediment for giving the benefit of placement under the BCR scheme w.e.f. 1.7.2003 if the applicant prepares the joining charge report and gives his option for fixation of pay.”

4. This reply has been filed on 29th August, 2004. By filing the aforesaid reply, the respondents have conceded the demand of the applicant for granting him BCR promotion w.e.f. 1st July 2003 on the condition that the applicant gives the charge report and also his option to get his pay fixed in the higher scale on account of BCR promotion.

5. In view of the above, the applicant is directed to give option as required by the respondents.

6. With this observation, the OA is disposed of.

(Madan Mohan)
Judicial Member

(M.P.Singh)
Vice Chairman

क्रमांक सं ओ/न्या.....जबलपुर. दि.....
प्रतिलिपि अर्जो दितः-

- (1) सचिव, उच्च न्यायालय बार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/व्यु.....के काउंसल
- (3) प्रत्यर्थी श्री/श्रीमती/व्यु.....के काउंसल
- (4) कंथपाल, के.प्र.अ., जबलपुर न्यायपीठ

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सूचना एवं आवश्यक कार्यवाही हेतु
डेप्युटी जज

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