

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR**

Original Application No. 730 of 2004

Jabalpur, this the 13th day of April, 2005

Hon'ble Shri Madan Mohan, Judicial Member

M.R. Mishra, S/o. late Ramchandra Mishra,
Date of birth 12.8.1935, Dy. Postmaster-I
(HS Gr.I) (Retired), R/o. B/22, Kamla Nagar,
Bhopal – 462003 (MP).

.... Applicant

(By Advocate – None)

Versus

1. Union of India, through the Ministry of Railway, Through its Secretary, Ministry of Communication, Department of Post, New Delhi.
2. Chief Post Master General, M.P. Circle, Bhopal.
3. Superintendent of Post Offices, Bhopal Division, Bhopal. Respondents

(By Advocate – Shri M. Chourasia)

ORDER

By filing this Original Application the applicant has claimed the following main reliefs :

“(ii) command the respondents to extend the benefit of judgment passed by the Mumbai Bench (FB) in OA No. 542, 942 and 943 of 1997 decided on 21.9.2001 (Baburao Shanker Dhuri and others Vs. Union of India and others) Annexure A-3 to the applicant also,

(iii) consequently, command the respondents to pay 97% DA in pay for the purpose of emoluments for calculating DCRG to the applicant.”

2. As the learned counsel for the applicant is not present today, I proceed to dispose of this Original Application by invoking the provisions

of Rule 15 of CAT (Procedure) Rules, 1987, after hearing the learned counsel for the respondents.

3. The learned counsel for the respondents states that the Hon'ble Supreme Court in the case of State of Punjab & Ors. Vs. Amar Nath Goyal & Ors., in Civil appeal No. 129 of 2003, vide order dated 27.7.2004 has ordered that the writ petitions pending before the Bombay High Court shall stand transferred to this Court. He further submitted that the matter involved in this OA and the matter involved before the Hon'ble Supreme Court in the aforesaid Civil Appeal are exactly similar. Hence, as now this matter is subjudice before the Hon'ble Supreme Court, the outcome of the said Civil Appeal shall be applicable to the present OA. He further argued that a similar OA No. 628/2004 – P.K. Shrivastava & Ors. Vs. Union of India & Ors., was decided by this Tribunal on 13th December, 2004.

4. Accordingly, in view of the submissions made above by the learned counsel for the respondents, the present Original Application is also disposed with a direction that the outcome of the said Civil Appeal No. 129/2003 shall be applicable in the present OA.

(Madan Mohan)
Judicial Member

"SA"

पृष्ठांकन संख्या/लेखन	जललालपुर, दिल्ली
(1) सन्देश, १००	जललालपुर
(2) अनन्दकुमार, १००	जललालपुर
(3) प्रसादरत्न, १००	जललालपुर
(4) वृद्धियाल, १००	जललालपुर
सम्पादक, १००	जललालपुर

..... दे काउंसल F. Paul DUNLOP
..... दे काउंसल M. Chauhan
..... 15-4-05