

CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH.

O.A.No.110/2005

Decided on : April 7, 2005.

CORAM : HON'BLE MR.KULDIP SINGH, VICE CHAIRMAN.

Chitter Mal Meena S/o Shri Ram Pal Meena aged about 50 years resident of House of Pooran Mal Meena, Near Surajpole Gate, Jaipur presently working as P.A. L.S.G. Jaipur GPO.

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Applicant

By : Mr.P.N.Jatti, Advocate.

Versus

1. Union of India through the Secretary to the Govt. of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Principal Postmaster General, Rajasthan Circle, Jaipur-7. .
3. Senior Superintendent Post Offices, Jaipur City Dn., Jaipur.
4. Senior Post Master, Jaipur General Post Office, Jaipur.

By : None.

O R D E R (ORAL)

KULDIP SINGH,VC

In this O.A the applicant has sought a direction to the respondents to sanction him leave on the basis of medical certificates for the period mentioned in para 8 of the O.A for a period of 28 days.

The facts as alleged by the applicant are that he has been working as LSG PA in the Jaipur General Post Office. He was appointed



as a Postman in 1974 and after that he was promoted as Postal Assistant in 1982. He was also allowed LSG pay scale of Rs.4500-7000 in April, 2003.

The applicant submits that he was issued a notice dated 4.11.2004 (Annexure A-2) to show cause as to why the period from 10.5.2004 to 15.5.2004; 2.9.29004 to 6.9.2004 and 8.9.2004 to 23.9.2004 be not treated as dies-non. The applicant submitted a reply to the same vide letter dated 20.11.2004 (Annexure A-1) stating that he was under the medical treatment due to illness and as per the rule of the department he submitted medical certificates also in support of his illness. The respondents have neither sanctioned the leave for the said period nor any pay and allowances has been drawn for the month of September, 2004 despite submission of application on 4.11.2004 (Annexure A-3).

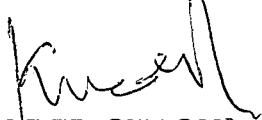
I find that the respondents have not taken any decision on the representation of the applicant which was filed on 4.11.2004 (Annexure A-3) and even on his reply dated 20.11.2004. Since the respondents have not even taken a decision over the representations of the applicant, it would be in the fitness of things if a direction is issued to them to take a decision on the representations submitted by the applicant.

Accordingly, this O.A is disposed of at the admission stage itself,

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with a direction to the respondents to take a decision on the representations submitted by the applicant on 4.11.2004 and 20.11.2004, within a period of three months from the date of receipt of copy of the order. In case the order passed by the respondents is adverse to the interest of the applicant, he will be at liberty to approach the competent court of law for redressal of his grievance, in accordance with law.



(KULDIP SINGH)
VICE CHAIRMAN

April 7,2005.

HC*