

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 29th day of March, 2010

ORIGINAL APPLICATION NO. 114/2009

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Roop Narain Sharma son of Dwarka Prasad Sharma by caste Sharma, aged about 52 years, resident of Ward No. 24, Mohalla Naya Bas, Raja Khera- Dholpur, EDMC/EDDA Sighawali, presently working as postman in Raja-Khera, Post Office Dholpur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Superintendent Post Offices, Dholpur Division, Dholpur.
4. Sub Divisional Inspector (Post) Dholpur, Sub Division, Dholpur.
5. Post Master, Raja-Khera Post Office, Raja-Khera (Dholpur).

.....RESPONDENTS

(By Advocate: Mr. Gaurav Jain)

ORDER (ORAL)

The grievance of the applicant in this case is regarding pay & allowances of the ~~post~~^{post} of a Postman with effect from 01.11.2007 to 27.10.2008.

2. Notice of this application was given to the respondents. The respondents have categorically stated that the applicant did not perform the duty of outsider Postman for the aforesaid period whereas he has performed work of the mail distribution for 5 hours only at

10

Rajakhera on TRCA of EDSMC. Thus according to the respondents, the applicant is not entitled to the wages of Postman against which post the applicant has not performed the duty.

3. Learned counsel for the applicant submits that in fact he has performed the duty of Postman, as such; he is entitled to the pay & allowances of the post of Postman. There is nothing on record to show that the applicant has in fact worked on the post of Postman for the aforesaid period. Learned counsel for the applicant further submits that he may be permitted to withdraw this OA with liberty reserved to him to file exhaustive representation before the Chief Post Master General, Rajasthan Circle, Jaipur, [Respondent no. 2], thereby enclosing contemporaneous record in order to show that the applicant has performed the duty of Postman with effect from 01.11.2007 to 27.10.2008 and thus is entitled to the wages of Postman.

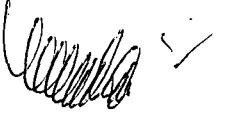
4. In view of what has been stated above, the applicant is permitted to withdraw this OA in the aforesaid terms with liberty reserved to him to file representation to the Chief Post Master General, Rajasthan Circle, Jaipur [Respondent no. 2]. Accordingly, the OA is disposed of with the direction to the applicant to file representation before Respondent no. 2 within a period of two weeks from today. In case the representation is filed by the applicant within the aforesaid period, in that eventuality, respondent no. 2 shall dispose of the representation of the applicant within a period of two months from the date of receipt of a copy of such representation. Needless to add that

46

in case the applicant is aggrieved by the decision so taken by Respondent no. 2, he will be at liberty to file substantive OA.

5. With these observations, the OA is disposed of with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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