

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

17.08.2009

OA No. 347/2009

Mr. P.N. Jatti, Counsel for applicant.

Heard learned counsel for the applicant.

For the reasons dictated separately, the OA is disposed of.


**(B.L. KHATRI)
MEMBER (A)**


**(M.L. CHAUHAN)
MEMBER (J)**

AHQ

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH**

Jaipur, this the 17th August, 2009

ORIGINAL APPLICATION NO. 347/2009

CORAM:

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

R.N. Vijay son of Shri Mohan Lal by caste Vijay, aged about 61 years, resident of 21, Govind Nagar, Jaipur. Presently retired as SAHSG from RMS Office, Jaipur.

.....APPLICANT

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

VERSUS

1. Union of India through the Secretary to the Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Senior Superintendent, Railway Mail Service, Jaipur Division, Jaipur.

.....RESPONDENTS

(By Advocate : -----)

ORDER (ORAL)

The grievance of the applicant in this case is that although this Tribunal in OA No. 486/2003 vide order dated 16.04.2004 has quashed the impugned order dated 11.09.2003, still the respondents have deducted the recovery on the basis of the quashed order till 02.11.2007. It is further stated that the respondents have refunded the amount of Rs.16,483/- to the applicant, which was deducted up to 31.08.2003 where^{as} this Tribunal ordered to refund the amount up to 16.04.2004 i.e. till the passing of the judgment dated 16.04.2004 but they have not refunded the remaining amount which they were legally

bound to refund it. For that purpose, the applicant has made a representation dated 16.07.2009 (Annexure A/1) whereby he has prayed that he may be extended the benefit of the judgment passed in OA No. 486/2003 whereby the impugned order dated 11.09.2003 has been quashed by granting him the increment and arrear of pay.

2. In view of the fact that the representation of the applicant dated 16.07.2009 (Annexure A/1) is pending before Respondent no. 2, Chief Post Master General, Rajasthan Circle, Jaipur, we are of the view that this OA is premature and the same cannot be entertained at this stage in view of the provisions contained under Section 20 of the Administrative Tribunal's Act, 1985. However, we are of the view that it will be in the interest of justice if direction is given to Respondent no.2 to decide the representation of the applicant within the stipulated period. Accordingly, Respondent no. 2 is directed to ^{decide} ~~decide~~ the representation of the applicant dated 16.07.2009 (Annexure A/1) within a period of two months from the date of receipt of a copy of this order.

3. With these observations, the OA is disposed of at admission stage with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ