

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 07th day of January, 2011

ORIGINAL APPLICATION NO. 494/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Akha Ram son of Shri Kangi Ram aged about 32 years, resident of 56, Satya Vihar, Lal Kothi, Near New Vidhansabha, Jaipur. At present posted as IRM (under suspension), Head Quarter at office of Senior Superintendent of Railway Mails, Jaipur Division, Jaipur.

.....Applicant

(By Advocate: Dr. Saugath Roy proxy to Mr. Anand Sharma)

VERSUS

1. Union of India through Secretary, Ministry of Communication and Information Technology, Department of Posts, Government of India, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur.
3. The Senior Superintendent of Railway Mails, Jaipur Division, Jaipur.
4. The Superintendent of Post Offices, Sirohi Division, Sirohi.

.....Respondents

(By Advocate: -----)

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-

"(i) Memo dated 22.12.2009 whereby suspension of the applicant has been continued without any reasons, may be held arbitrary and illegal and the same may be quashed and set aside. The respondents may kindly be directed to revoke the suspension of the applicant and to grant him all consequential benefits.

(ii) The respondents may kindly be directed to increase the subsistence allowance of the applicant from 50% to 75% w.e.f. the date of extension of suspension period of the applicant and they may also be directed to make payment of arrears of difference of subsistence allowance to the applicant.

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- (iii) The respondents may also be directed to make payment of second instalment of 60% arrears on account of fixation in Revised Pay Scale Rules, 2008 immediately alongwith the interest @ 12% per annum.
- (iv) The respondents may also be directed to make payment of incentive of PLI Business procured by the applicant alongwith interest @ 12% per annum."
- (v) Any other order or direction, which this Hon'ble Tribunal deems fit in favour of the applicant may kindly be issued."

2. We have heard proxy counsel appearing on behalf of the applicant. It has been brought to our notice that the suspension order has been revoked by the appropriate authority.

3. In view of this subsequent development, the present OA does not survives. So far as the grievance of the applicant regarding enhancement of suspension allowance and payment of second installment of 60% arrears on account of fixation as per Revised Pay Scale Rules, 2008 is concerned, it will be permissible for the applicant to make proper representation before the appropriate authority. In case such representation is made by the applicant, the same shall be considered by the appropriate authority within a period of six weeks from the date of receipt of the representation.

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

Anil Kumar
 (ANIL KUMAR)
 MEMBER (A)

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

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