

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

29.09.2011

OA No. 438/2011

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

Heard learned counsel for the applicant. The O.A. is disposed of by a separate order on the separate-sheets for the reasons recorded therein.


(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 438/2011

DATE OF ORDER: 29.09.2011

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

Ajay Singh S/o Shri Kartar Singh, by caste Banjara, aged about 27 years, R/o Quarter No. 70, Dak Colony, Malviya Nagar, Jaipur, working as Casual Labour Group 'D' in the O/o Chief Post Master General, Rajasthan Circle, Jaipur-7.

...Applicant

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

VERSUS

1. Union of India through the Secretary to the Govt. of India, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur-7.

...Respondents

ORDER (ORAL)

The applicant has preferred this Original Application claiming the relief that the respondents may be directed not to engage the fresh casual labours on the place of the applicant.


2. Having heard the learned counsel appearing for the applicant, and careful perusal of the pleadings and material available on record, it is evident that the applicant has filed representation dated 01.08.2011 (Annex. A/1) before the respondents but the same is still pending with the respondents for consideration. As such this Original Application is premature.



3. At this stage, the learned counsel for the applicant requested that the purpose will be served if the respondents are directed to consider the said representation dated 01.08.2011 (Annex. A/1).

4. Although the Original Application is premature as the applicant has filed representation only on 01.08.2011 and the same is pending with the respondents for consideration, be that as it may, we deem it proper to direct the respondents to consider the representation dated 01.08.2011 (Annex. A/1) in accordance with the provisions of law, and also in view of the ratio decided by this Bench of the Tribunal vide its order dated 23rd March, 2006 (Annex. A/3) in OA No. 329/2005 (Hari Prasad Sharma vs. Union of India & Ors.). If any prejudicial order is passed by the respondents against the interest of the applicant, the applicant will be at liberty to file substantive Original Application.

5. With these observations and directions, this Original Application stands disposed of with no order as to costs.


(JUSTICE K.S. RATHORE)
MEMBER (J)