

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

10.07.2013

MA 229/2013 (OA No.139/2012)

Mr. C.B. Sharma, Counsel for applicant.
Mr. Mukesh Agarwal, Counsel for respondents.


MA No. 229/2013


Heard on MA for taking legal heirs on record. The MA is allowed. Legal heirs be taken on record.

OA No. 139/2012

Learned counsel for both the parties submitted that the controversy involved in this OA is similar to the OAs already disposed of by this Tribunal (OA Nos. 321/2011, 149/2012, 150/2012 and 188/2012).

Accordingly the OA is disposed of by a separate order.


(S.K. Kaushik)
Member (J)


(Anil Kumar)
Member (A)

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**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH**

O.A.NO. 139 OF 2012 Date of order:- July 10, 2013.

Coram: **Hon'ble Mr. Anil Kumar, Member (A)**
Hon'ble Mr. Sanjeev Kaushik, Member (J).

Smt. Kaushlya Devi wife of late Shri Ratan Lal Sharma, aged about 60 years, resident of Village & Post Banathala (Baya), District Sikar.

.....Applicant

(By Advocate: Mr.C.B.Sharma)

Versus

1. Union of India through Secretary to the Government of India, Department of Posts, Ministry of Communication & Information Technology, Dak Bhawan, New Delhi-110 001.
2. Chief Post Master General, Rajasthan Circle, Jaipur-302 007.
3. Director, Postal Services (Head quarter) Office of Chief Post Master General, Rajasthan Circle, Jaipur-302 007.
4. Superintendent of Post Offices, Sikar Postal Division, Sikar-332001.
5. Post Master, Srimadhapur Head Post Office, District Sikar-332715.

...Respondents

(By Advocate: Mr. Mukesh Agasrwal).

O R D E R(Oral).

Hon'ble Mr. Sanjeev Kaushik, Member (J):


Applicant has filed the present O.A. praying for the following reliefs:-


"i) That the respondents be directed to allow benefits as granted vide memo dated 29/04.2010 (Annexure A/2) after due fixation w.e.f. 01.09.2008 and thereafter also benefits of retirement by quashing order dated 31.1.2012 with the show cause notice dated 29.3.2001 (Annexure A/1 & A/6) with all consequential benefits;

ii) That the respondents be further directed to hold good memo dated 29/04.2010(Annexure A/2) in respect of applicant without counting recruitment as clerk and further placement in higher scale towards benefits of MACP Scheme and no recovery be made from the applicant against amount paid of arrears."

2. At the very outset, the learned counsel for parties fairly submitted that this matter is no longer res-integra and has already been decided in the case of **Jagdish Prasad Sharma** Versus **Union of India & Ors** in O.A.No.321/2011 vide order dated 4.7.2013.

3. Accordingly, the present case is squarely covered by the ratio of judgment passed in the case of Jagdish Prasad Sharma (supra) and is, therefore, disposed of in the same terms.


(SANJEEV KAUSHIK)
MEMBER (J).


(ANIL KUMAR)
MEMBER (A)

Dated :- July 10, 2013.

Kks