

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

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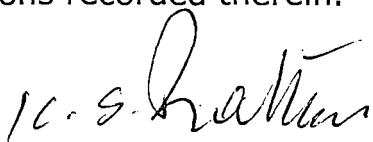
ORDERS OF THE BENCH

Date of Order: 09.02.2012

OA No. 30/2012

Mr. Brajesh Kumar Jatti, proxy counsel for
Mr. P.N. Jatti, counsel for applicant.

Heard. OA 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. 30/2012

DATE OF ORDER: 09.02.2012

CORAM

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

Gopal S/o Mdan Lal, by caste Harijan, aged about 41 years, R/o Harijan Basti Tullapura, Near Channel-Kota, presently working as part time casual labour in the O/o the Railway Mail Service, Kota Junction, RMS, Kota.

...Applicant

Mr. Brajesh Kumar Jatti, proxy counsel for
Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. Senior Superintendent Railway Mail Service, JP Dn. Jaipur.
4. Sub Record Officer, Kota Junction RMS Kota.

...Respondents

ORDER (ORAL)

By way of filing the present Original Application, the applicant has prayed for the following relief:-

"8.1. That by a suitable writ/order or the direction, on the base of the orders of the department of posts, the respondents be directed to regularize the service of the applicant for 8 hrs a day.

8.2. That the respondents are drawing the less payment of the pay and allowance of the applicant with effect from, therefore be suitable writ/order or the directions the respondents be directed to make the pay and allowances of the applicant as per the month of March-2011 with all the consequential benefits.

8.3. Any other relief which the Hon'ble bench deems fit"

2. The applicant has also submitted a representation Annexure A/1 dated 26.07.2011 to the respondents requesting therein to provide him full time (08 hours) employment and also to



regularize his services as per rules and regulations of the department, besides not to reduce his pay and allowances.

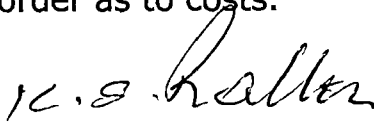
3. Upon careful perusal of the pleadings as well as documents, it is evident that the representation Annexure A/1 dated 26.07.2011 is still pending consideration before the respondents, which is also not disputed by the learned counsel appearing for the applicant.

4. Having considered the aspect that the representation Annexure A/1 dated 26.07.2011 is still pending consideration before the respondents, I deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the same by passing a reasoned and speaking order.

5. Consequently, the respondents are directed to consider and decide the representation dated 26.07.2011 (Annexure A/1) and pass a reasoned and speaking order and communicate the decision so taken to the applicant expeditiously but in any case not later than a period of three months from the date of receipt of a copy of this order.

6. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application.

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


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