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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00084/2014

Decided on: 28.07.2014

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

Jagtar Singh son of Shri Tarsem Lal, aged about 48 years, GDS-Mail Packer, Nadala Sub Office, District Kapurthala

.....**Applicant**
Versus

1. Union of India, Ministry of Communication and Information Technology through Secretary-cum-Director General, Department of Posts, Dak Bhawan, New Delhi -110001.
2. Chief Postmaster General, Punjab Circle, Chandigarh.
3. Superintendent Post Offices, Kaputhala Division, Kapurthala - 144601.
4. Shri Gurdev Singh, Sub Divisional Inspector (Posts) Kapurthala Sub Division, Kapurthala - 144601.

.....**Respondents**

Present: Mr. Manohar Lal, counsel for the applicant
Ms. Nimrat K. Gill, counsel for the respondents

Order

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

1. Learned counsel for the respondents has produced a copy of order dated 08.07.2014 and submits, on the basis thereof, that the relief claimed in the OA has been granted to the applicant.

2. Learned counsel for the applicant submits that in view of the orders 23.08.2004 passed by this Tribunal in O.A. No. 147/PB/2004 filed by the applicant, he was to be reinstated into service w.e.f. 09.07.2001 on the post from which his services were terminated. He further submits that since there was no post available at that time, the applicant consented to be adjusted against a lower post and remained working on the lower post. When on 14.05.2012, the post of GDS-MDC fell vacant, the applicant approached the respondents by way of representation dated 06.07.2012 with a request to adjust him against that vacant post. That representation had not been decided by the respondents which compelled the applicant to file the present O.A.

3. Learned counsel for the applicant states that though the applicant has been adjusted against the entitled post but he was due to be adjusted against that post w.e.f. 14.05.2012 when that post fell vacant. However, nothing has been stated on this aspect in the order dated 08.07.2014. Therefore, we direct the respondents to consider the claim of the applicant and pass a reasoned and speaking order with regard to the claim of the applicant for adjustment against the post with effect from the date it fell vacant i.e. 14.05.2014. Needful be done

⑧ Correction made in view of
order dt. 13.8.2014 passed
in MA 060/0084/2014.
Ap 0029
D.R.
19/8/14

within a period of three months from the date of receipt of a copy of this order.

4. O.A. stands disposed of, accordingly. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 28.07.2014

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