

**(OPEN COURT)**

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH ALLAHABAD**

This is the 09<sup>th</sup> day of October, 2018.

ORIGINAL APPLICATION NO. 330/01045/2018

Present:

**HON'BLE MR. GOKUL CHANDRA PATI, MEMBER (A)**  
**HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).**

Amit Gupta @ Amit Kumar Gupta, aged about 43 years, son of late Shri Harish Chandra Gupta, presently posted as P.A. under Senior Superintendent of Post Offices, Moradabad, R/o Patper Sarai, Near Chauda, Kuwan, Moradabad 244001.

.....Applicant.

By Advocate: Shri S.K. Kushwaha

**VERSUS**

1. Union of India, through the Secretary, Ministry of Communication and I.T. Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Post Master General, Bareilly Region, Bareilly.
4. Director Postal Services, in the office of P.M.G. Bareilly Region, Bareilly.
5. Senior Superintendent of Post Offices, Moradabad Division, Moradabad.

.....Respondents

By Advocate : Shri Vinod Mishra

**ORDER**

**BY HON'BLE MR. GOKUL CHANDRA PATI, MEMBER (A)**

Heard Shri S.K. Kushwaha, learned counsel for the applicant and Shri Vinod Mishra, learned counsel for the respondents.

2. Learned counsel for the applicant submitted that applicant is physically handicapped person, who has been transferred on promotion to distance of 30 Km. This is difficult for him to manage. Initially applicant submitted his representation dated 27.7.2018 (Annexure A-9), which cannot be considered as per letter dated 27.7.2018 (Annexure A-10) because post was not vacant.

Subsequently, applicant has submitted a representation dated 13.8.2018 (Annexure A-13) to P.M.G. Bareilly Region, Bareilly/respondent No. 3 mentioning therein that on account of voluntary retirement of Shri Ish Narain Pandey, one post has fallen vacant.

3. Learned counsel for the respondents submitted in para 19 of the O.A. due to another retirement, a vacancy has also arisen under the control of respondent No.3. The applicant may file fresh representation in addition to representation dated 13.8.2018 to respondent No. 3 within a week mentioning about the facts.

4. In view of the above, the O.A. is disposed of at the admission stage with a direction to the respondent No.3/Competent Authority to consider and dispose of the representation of the applicant dated 13.08.2018 (Annexure A-13) taking into account the vacancies that have arisen as stated above, by passing a reasoned and speaking order within a period of 2 months from the date of receipt of a certified copy of this order under intimation to the applicant and till disposal of his representation, the applicant shall not be relieved, if he is not relieved as on today. It is made clear that we have not examined the merits of the case while passing this order. No order as to costs.

**(Rakesh Sagar Jain)**

Member (J)

**(Gokul Chandra Pati)**

Member (A)

Manish/-