

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH

...

OA No.290/00284/2018

Decided on : 12.09.2018

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CORAM: HON'BLE SMT. HINA P. SHAH, MEMBER (J)

Om Prakash Oza. S/o Shri Shyam Lalji, aged about 62 years, resident of Oza Street, Chand Bawary Fort Road, Jodhpur, (Compulsory retired on 01.08.1998, worked on the post of SPM in the office of Sojati Gate Post Office, Jodhpur).

...APPLICANT

BY ADVOCATE : Mr. S.P. Singh.

VERSUS

1. Union of India, through the Secretary, Government of India, Ministry of Communication, Department of Post, Dak Tar Bhawan, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Director of Accounts, Postal, Jaipur-14.
4. Director Postal Services, Rajasthan Western Region, Jodhpur-342001.
5. The Senior Superintendent of Post Offices, Jodhpur Division, Jodhpur-342001.

...RESPONDENTS

ORDER

HON'BLE SMT. HINA P. SHAH, MEMBER (J):-

1. The applicant by way of the present Original Application (O.A.) has prayed for the following reliefs:-
 - a) Writ order or direction the respondents may kindly be directed to treat intervening period from 31.07.1998 to 30.09.2009 as duty and all consequential benefits may be granted.
 - b) Writ order or direction the respondents may kindly be directed to reinstate the applicant into service from the effecting date of compulsory retirement i.e. 01.08.1998 with all consequential benefits.

- c) Writ order or direction the respondents may kindly be directed to treat intervening period for grant of pension and consequential benefits may be granted.
- d) Writ order or direction the respondent may kindly be directed to treat suspension period as duty and all consequential benefits may be granted due to acquittal from all charges.
- e) Writ order or direction the respondents may kindly be directed to reinstate the applicant with all consequential benefits from the date of compulsory retirement i.e. 31.07.1998."

2. Heard Shri S.P. Singh, learned counsel for the applicant and perused the material placed on record.

3. During the course of arguments, it is the plea of the applicant that he is restraining his prayer and that he is satisfied, if his Revision Petition dated 29.10.2017 is disposed off, subject to the judicial pronouncement made by the Criminal Court vide its order dated 31.03.2016. It is his plea that he had also submitted a copy of the judgment and also preferred a letter to the SSPOs, Jodhpur vide letter dated 29.12.2017.

4. The applicant states that though his order of removal from service was passed by SSPOs, Jodhpur on 31.07.1998, but subsequently the said order was modified by the Appellate Authority and the modified penalty was "Compulsory Retirement" vide its order dated 13.05.1999. It is his plea that subsequently the Criminal case pending against the applicant has been decided by the Hon'ble Court on 31.03.2016 and as he has been acquitted in the said case.

5. Considering the submission made by the learned counsel for the applicant coupled with the fact that the respondents are yet to take a view on the pending Revision Petition dated 29.10.2017, I deem it fit and proper that ends of justice would meet, if the pending Revision Petition dated 29.10.2017 is disposed off by passing a reasoned and speaking order in accordance with law and rules, within a period of six months from

the date of receipt of the certified copy of the order. Orders so passed duly communicated to the applicant.

6. Needless to say that I have not expressed any view on the delay and latches and merits of the case.

7. Accordingly, the OA is disposed off at admission stage itself. No order as to costs.

(HINA P. SHAH)
MEMBER (J)

Dated: 12.09.2018

Place: Jodhpur

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