

**Central Administrative Tribunal
Madras Bench**

OA 310/00743/2014

Dated Tuesday the 12th day of February Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P. Madhavan, Member (J)
&
Hon'ble Mr. T. Jacob, Member (A)**

A. Md. Mustafa
No. 98/89, Sajja Munusamy Chetty Street
Old Washermenpet
Chennai – 600 021.

.. Applicant

By Advocate **M/s. R. Malaichamy**

Vs.

Union of India
Rep. by Senior Superintendent Post Offices
Chennai City North Division
Chennai – 600 008.

.. Respondent

By Advocate **Mr. K. Rajendran**

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“1. To call for the records of the respondent pertaining to his order made in No. B5/GDS/Misc/dlgs dated 20.05.2014 and set aside the same, consequent to,

2. direct the respondent to extend the benefit of judgment of this Tribunal made in OA No. 1051 of 2011 etc. dated 22.06.2012 and thereby to direct the respondent to absorb the applicant in Group D/MTS cadre against the vacancies of the year 2002 to 2010 in the respondent division with all attendant benefits and to settle all the retirement service benefits to the applicant, and

3. To pass such further or other orders ”

2. It is submitted by learned counsel for the respondents that this OA is filed based on the order pronounced by this Bench in OA 1051/2011 and the same is challenged by the respondents before the Hon'ble High Court of Madras in WP No. 23992/2013 and the Hon'ble High Court has granted stay against further proceedings. Accordingly learned counsel for the respondents would submit that this OA may be disposed of with a direction to the respondents to consider the case of the applicant subject to the outcome of the Writ Petition filed by the respondents.

3. Learned counsel for the applicant has no objection.

4. As the point of law on which relief was granted earlier does not seem to have been settled finally and the matter is still before the Hon'ble High Court, we deem it appropriate to dispose of this OA with a direction that the respondents shall review their stand in the event of the aforesaid WP being decided in favour of persons similarly situated as the applicant.

5. OA is disposed of accordingly.

(T. Jacob)
Member (A)

12.02.2019

(P. Madhavan)
Member(J)

AS