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Central Administrative Tribunal, Principal Bench

Original Application No.2806 of 2003

New Delhi. This the 28th day of November, 2003

**Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.A. Singh, Member(A)**

Hakim Singh,
S/o late Shri Kishori Lal.
R/o 36/2/14-D, Mohanpura - Idgah.
Agra

.... Applicant

(By Advocate: Shri D.P. Sharma)

Versus

1. Union of India
Through Secretary,
Ministry of Communication and I.T.
Department of Posts.
Dak Bhawan, Sansad Marg,
New Delhi
2. The Chief Postmaster General.
U.P. Circle Lucknow
3. The Postmaster General.
Agra Region - Agra
4. The Senior Superintendent Postoffices
Agra Division, Agra
5. Shri Rakesh Narain Saxena then PA Civil Lines Agra
C/o Sr. Supdt. Postoffices.
Agra Dist. Agra

.... Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

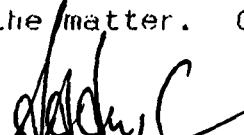
The applicant was promoted on 2.1.89 under one time bound promotion scheme on completion of 16 years service. We are informed that promotion of the applicant under B.C.R. (H.S.G.II) Scheme was due on completion of 26 years of service. At that time, he was facing a criminal case punishable under Section 323 read with Section 498-A of the Indian Penal Code. The claim of the applicant was kept in the sealed cover. On 18.8.2001, he was acquitted by the court of competent jurisdiction. We are informed that there is no appeal against the acquittal that has been

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filed. From that date, the grievance is that despite the acquittal of the applicant, his claim is not being considered nor the sealed cover has been opened. He has submitted large number of representations in this regard. The learned counsel even contended that respondent no.4 had already written to respondent no.2 on 25.4.2003 but no action has been taken.

2. At this stage, when rights of the respondents are not likely to be affected, we deem it unnecessary to give a show cause notice while disposing the present application.

3. It is directed that respondent no.2 would consider the claim of the applicant taking stock of the totality of facts and pass appropriate orders in this regard preferably within three months of the receipt of the certified copy of the present order and communicate it to the applicant. By way of abundant caution, we make it clear that we are not expressing ourselves on the merits of the matter. O.A. is disposed of.


(S.A. Singh)
Member(A)


(V.S. Aggarwal)
Chairman

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