

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12970 of 2013

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1. Union of India Through Director General, Department of Post Dak Bhawan, Patel Chowk, New Delhi.
 2. The Chief Post Master General, Bihar Circle, Patna.
 3. Director of Account, Department of Posts, Patna.
 4. Director Postal Services (H.Q.) O/o CPMG, Bihar Circle, Patna.
 5. Sr. Superintendent of Post Offices, Patna Dn. Patna-4,

.... Petitioner/s

Versus

R.N.Pandit, S/o Late Jadagi Pandit, Resident of Village- Jalalpur, P.O- Nursarai,
District- Nalanda, Ex- Assistant Superintendent of Post Officer, Patna Dn. Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, (A.S.G.)
For the Respondent/s : Mr. Munna Prasad Dixit,
Mr. S.K. Chaubey.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 29-06-2015

We have heard learned counsel for the petitioners
(Department of Post) and learned counsel for the sole private
contesting respondent.

We are surprised as to why this writ application was at
all filed. The sole contesting respondent, who was the applicant before
the Tribunal, had moved the Tribunal in Original Application No. 499
of 2004 for a direction to the authorities of the Department of Post to
pay his retiral dues upon his superannuation. The matter traveled back
to the Tribunal from the High Court and ultimately, by order dated

01.08.2012 the Tribunal has disposed of the Original Application with a direction to pass final orders in terms of Rule 9 of the CCS (Pension) Rules.

We fail to appreciate how the Department of Post passed such an order. An order they ought to have passed long back because the proceeding, having been initiated vide Annexure-3, has to be brought to a logical conclusion and if that be so, then the Department was obliged to pass final order concluding those proceedings. This is all that the Tribunal has said.

In our view, the order of the Tribunal cannot be said to be erroneous in any manner, which requires interference by this Court. It is up to the Department of Post to act accordingly. We find no merit in the writ petition. Accordingly, this writ application is dismissed.

(Navaniti Prasad Singh, J.)

(Rajendra Kumar Mishra, J.)

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