

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 7156/2018

1. Union Of India Through Its Secretary, To The Government Of India, Department Of Posts, Ministry Of Information And Technology, Government Of India, Dak Bhawan, Sansad Marg, Delhi 110001
2. Director, Postal Services Hq O/o Chief Post Master General, Rajasthan Circle, Jaipur 302007.
3. Sr. Superintendent Of Post Office, Udaipur Division, Udaipur.

----Petitioners

Versus

1. Dilawar Khan S/o Shri Samadkhan, R/o 84- Murshir Nagar, Near Badi Masjid Savina, Udaipur Retired.
2. Central Administrative Tribunal, Through Its Registrar, Jodhpur.

----Respondents

Connected With

D.B. Civil Writ Petition No. 6097/2018

1. Union Of India Through Its Secretary, To The Government Of India, Department Of Posts, Ministry Of Communication, Government Of India, Dak Bhawan, Sansad Marg, Delhi 110001.
2. The Secretary, Government Of India Ministry Of Personnel, Public Grievances And Pensions Department Of Personnel And Training New Delhi.
3. Director, Postal Services Hq O/o Chief Post Master General, Rajasthan Circle, Jaipur 302007.
4. Superintendent Of Post Office, Rms St Division, Jodhpur.

----Petitioners

Versus

1. Ram Chandra Purohit S/o Shri Bhanwar Lal Purohit, R/o Near Dadoji Kuan, Back To Alok Cinema Churu District Churu Retired.
2. Central Administrative Tribunal, Through Its Registrar, Jodhpur.

----Respondents

For Petitioner(s)	:	Mr. R.D. Rastogi – Additional Solicitor General assisted by Mr. B.P. Bohra through VC Mr. Pukhraj Servi
For Respondent(s)	:	Mr. Jai Kumar Kaushik through VC Mr. Shyam Prasad Singh

HON'BLE MR. JUSTICE SANGEET LODHA
HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

09/11/2020

(D.B. Civil Writ Petition No. 7156/2018)

Learned Additional Solicitor General submits that the controversy involved in the present petition stands covered by the decisions of the Division Bench of this Court in D. B. Civil Writ Petition No.3968/2008 titled as Ramkaran Kumhar Vs. Union of India and Others, decided on 31.05.2016 and in D.B. Civil Writ Petition No.18488/2016 titled as Union of India and Ors. Vs. Dev Karan Mahala and Ors. and allied matters decided on 10.05.2018.

However, it is not in dispute that the Special Leave Petition preferred by Dev Karan Mahala against the decision dated 10.05.2018 passed in D.B. Civil Writ Petition No.18488/2016 is pending before the Hon'ble Supreme Court.

In this view of the matter, we consider it appropriate to wait for the outcome of the Special Leave Petition (C) Diary No.4793/2019 (Dev Karan Mahala Vs. Union of India) pending before the Hon'ble Supreme Court.

List the matter on 18.01.2021.

In the meanwhile and until further orders, the effect and operation of the order dated 04.04.2016 passed by the Central

Administrative Tribunal, Jodhpur Bench, at Jodhpur in original application No.268/2012, shall remain stayed.

D.B. Civil Writ Petition No. 6097/2018

Learned Additional Solicitor General submits that the controversy involved in the present petition stands covered by the decisions of the Division Bench of this Court in D. B. Civil Writ Petition No.3968/2008 titled as Ramkaran Kumhar Vs. Union of India and Others, decided on 31.05.2016 and in D.B. Civil Writ Petition No.18488/2016 titled as Union of India and Ors. Vs. Dev Karan Mahala and Ors. and allied matters decided on 10.05.2018.

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In this view of the matter, we consider it appropriate to wait for the outcome of the Special Leave Petition (C) Diary No.4793/2019 (Dev Karan Mahala Vs. Union of India) pending before the Hon'ble Supreme Court.

List the matter on 18.01.2021.

In the meanwhile and until further orders, the effect and operation of the order dated 05.11.2015 passed by the Central Administrative Tribunal, Jodhpur Bench, at Jodhpur in original application No.77/2014, shall remain stayed.

(DEVENDRA KACHHAWAHA),J

(SANGEET LODHA),J

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