

| Date | Office Report | Orders |
|------|---|---------|
| | OA - 416/98 | 24.2.98 |
| | Present: Sh. Sant Lal, Asst. Commr for the applicant. | |
| | OA has been disposed of by a D.B of Honble the Chairman + Honble Sh. N. Sahu, M(A), on 24.2.98. | |
| | B.O | |
| | M. S. C. I. | |

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 416/1998

New Delhi this the 24th day of February, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI N. SAHU, MEMBER (A)

Shri Prem Prakash S/O Sobha Ram,
employed as Postal Assistant in
DHQ, New Delhi Post Office under
New Delhi South East Postal Divn.,
R/O Gurgaon (Address for service
C/O Shri Sant Lal, Advocate,
C-21(B), New Multan Nagar,
Delhi-110056.

... Applicant

(By Shri Sant Lal, Advocate)

- Versus -

1. Union of India through
Secretary, Ministry of
Communication, Department
of Posts, Dak Bhawan,
New Delhi-110001.

2. Director General Postal Services (P),
Delhi Circle,
Meghdoot Bhawan,
New Delhi-110001.

3. The Sr. Supdt. of Post Offices,
South East Division,
Golf Link,
New Delhi-110003.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

Heard the learned counsel for the applicant on
admission.

2. Though the learned counsel for the applicant
submitted that there was no enquiry before the
impugned order of recovery of the amount of
Rs.32,400/- in 36 equal instalments, we are of the
view that enquiry appears to have been made and after

Jm

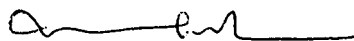
the impugned order, the applicant has also preferred, an appeal which is pending. The learned counsel did not dispute that the appeal preferred by the applicant is pending but he submitted that a request for staying the operation and/or recovery of the amount in instalments pending disposal of the appeal has not been granted by the appellate authority and, therefore, this OA has been filed.

3. The learned counsel submitted that pending disposal of his appeal by the appellate authority the recovery may be stayed and a direction may be made to the respondents to dispose of the appeal within a specified time.

4. We do not consider it fit or proper to stay the operation of the impugned order of recovery. However, we dispose of this OA at the admission stage itself with a direction to the appellate authority, i.e., the second respondent, to dispose of the appeal within a period of one month from the date of receipt of a copy of this order. The applicant shall be at liberty to approach this Tribunal again after the disposal of his appeal by the second respondent.



(K. M. Agarwal)
Chairman



(N. Sahu)
Member (A)

/as/