

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.1080/86

New Delhi This the 13th day of August 1996

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

Abdul Salim
R/o Village & PO Puhana
Ward No.10, in front of Idgah
Dist. Gurgaon (Haryana) ,,,Applicant
(By Sh.A.K.Divedi, proxy counsel)

Versus

Union of India through.

1. The Director General
Dept. of Post, Dak Bhawan
New Delhi
2. The Post Master General
Haryana Circle, P&T
Ambala (Haryana)
3. The Senior Supdg.of Post Office
Gurgaon Div. Gurgaon.
4. Sub Divisional Inspector Post Office
Gurgaon East, Gurgaon.Respondents.

(By Sh.M.M.Sudan, Advocate)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

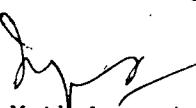
The applicant who is a part-time chowkidar is aggrieved by the order dated 27.10.95 (Annexure A-1) passed by respondent No.4 terminating his services and has filed this application for having the impugned order quashed or in the alternative directing an appeal filed by him against the impugned order to be disposed of by the competent authority within a reasonable time frame.

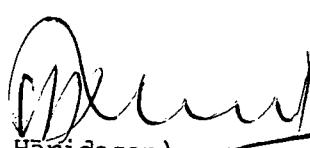
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2. The respondents contend that the applicant's services were dispensed with after a fulfledged enquiry observing principles of natural justice and having his guilt established. Regarding disposal of the appeal, the respondents contend that while the appeal has to be filed to the 3rd respondent, the applicant has filed the same to the second respondent. They have made it clear that if the applicant wishes to file an appeal, he should do so to the appropriate authority.

3. When the matter has come up for hearing on admission, in the conspectus of facts and circumstances, we are of the considered view that it would be in the interest of justice if the application is disposed of finally at this stage itself with appropriate directions to the respondents in regard to the disposal of the appeal by the competent authority. Taking note of the contentions of the respondents that the appeal was filed to the higher authority rather than Sr. Supdg. of Post Office who is the appellate authority, we are of the view that it would be appropriate to direct the respondents to have the appeal treated as one submitted to the respondent No.3 and dispose of the same within a reasonable time frame.

4. In the light of what is stated above, the application is disposed of at the admission stage itself, directing the respondents to have the appeal submitted by the applicant to the respondents No.4 treated as an appeal submitted to the ^{1st} respondent and to dispose of it within a period of 3 months from the date of receipt of this order. *with a reasoned order*
No order as to costs.


(K. Muthukumar)
Member [A]


(A.V. Haridasan)
Vice Chairman [J]