

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-28/97

New Delhi this the 11th day of February, 1997.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Shri Krit Raj,
Ex.EDDA,
Vill.&P.O. Mukhmel Pur
E.D.50, Delhi-36. Applicant

(through Sh. S.K. Gupta, advocate)

versus


1. Union of India, through
Secretary,
Deptt. of Posts,
Dak Tar Bhawan,
New Delhi-1.
2. Sr. Supdt. of Post Offices,
Delhi North Division,
Delhi-54.
3. Asstt. Supdt. of Post Offices,
North Delhi, 1st Division,
Ashok Vihar, Delhi-52. Respondents

(Sh. R.K. Kalia, Asstt. Supdt.)

ORDER(ORAL)

delivered by Hon'ble Dr. Jose P. Verghese, V.C.(J)

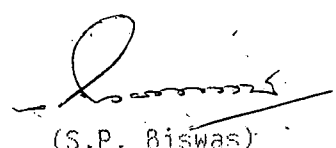
This is an O.A. filed for a limited purpose of disposing of the appeal filed by the applicant on 01.02.1995. The said appeal has not been disposed of by the respondents till today. According to Section 19 of the Administrative Tribunals Act, 1985, once the O.A. is admitted, the pending appeals abates and a specific order in this regard is necessary by this Tribunal. Therefore, we are not inclined to admit this O.A. rather we would like to dispose of the matter with a direction to the respondents that the appeal filed by the applicant after the disciplinary proceedings may be disposed of within a period of 2 months from the date of receipt of a certified copy of this order.



(B)

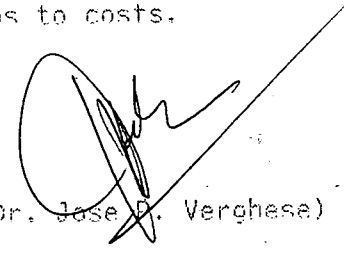
We make it clear that in the event the appeal is not disposed of, which is already belated by this time, that appeal shall be deemed to have been allowed. The consequences shall follow according to law. If the respondents wishes any variation from this order, they shall approach this Tribunal for any modification of this order. Such application for modification shall be accompanied by a report by the competent authority as to why the delay in disposing of this appeal has occurred. It is also noticed that 18 months has elapsed after filing the appeal. Normally in the circumstances the O.A. could have been considered as time barred but on the basis of an oral submissions made by the learned counsel for the applicant, the delay in filing this O.A. is condoned.

With the above observations, the O.A. is disposed of finally. No order as to costs.



(S.P. Biswas)

Member(A)



(Dr. Jose P. Verghese)

Vice-Chairman(I)

/vv/