

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.04/2014**

**This the 30<sup>th</sup> day of July, 2020**

**Coram : Hon'ble Shri J.V.Bhairavia, Member (J)  
Hon'ble Shri A.K.Dubey, Member (A)**

Shri Ishwarbhai B. Patel  
S/o. Shri Bhagubhai Patel  
Age – 56 years,  
Working as Ex.P.A. Olpad P.O.,  
District : Surat  
Residing at – 117, Sai Ashish Society,  
Old Kosad Road, At : Amroli,  
District : Surat – 395 202. .... Applicant

**(By Advocate : Ms. S.S.Chaturvedi)**

**VERSUS**

1. Union of India,  
Notice to be served through  
The Chief Post Master General  
Gujarat Circle, Khanpur,  
Ahmedabad 380 001.
2. Post Master General  
Vadodara Region,  
Pratapgunj,  
Vadodara – 390 002.
3. Sr. Supdt. of Post Office  
Surat Division  
Surat 395 001. .... **Respondents**

**(By Advocate : Ms. R.R.Patel )**

**ORDER – ORAL**

**Per : Hon'ble Shri J.V. Bhairavia, Member (J)**

In the instant OA, counsel for the Applicant, Ms. S.S.Chaturvedi submits that the Respondents had issued chargesheet dated 31.3.2011

to the applicant and the Disciplinary Authority vide its Order dated 13.4.2012 imposed the penalty of dismissal from service with immediate effect. Aggrieved by the same, the applicant preferred appeal before the Appellate Authority and the Appellate Authority vide its order dated 12.06.2013, rejected the said appeal. On aggrieved of the same, the applicant filed the present OA seeking direction for quashing and setting aside the orders passed by the Disciplinary Appellate and Appellate Authority.

2. Counsel for the respondents, Ms. R.R.Patel submits that the applicant has not exhausted the alternative remedy of revision and directly approached the Tribunal for redressal of his grievance. It is submitted that under the provisions of Rule 29 of CCS (CCA) Rules, 1965, there is a statutory remedy of revision and without exhausting said remedy, this OA is not maintainable.

3. At this juncture, counsel for the applicant, Ms. S.S.Chaturvedi submits that the Applicant will be satisfied, if liberty is granted to the applicant to file Revision Petition and appropriate direction be issued to the respondents for consideration of his Revision Petition within time framed and intimate the decision to the applicant so taken.

4. Considering the submissions made by counsel for the applicant, in the interest of justice, we dispose of the OA by granting liberty to the applicant to prefer Revision Petition before the Revisional Authority within one month from today. Further, the respondents are

**CAT, Ahmedabad Bench**

directed to consider the Revision Petition so filed by the applicant in accordance with the material on record and dispose of the same within a period of two months from the date of receipt of such Revision Petition. It is needless to say that whatsoever decision so taken on the Revision Petition shall be communicated to the applicant within fifteen days thereafter. It is made clear that we have not expressed any opinion on the merits of the case.

**5.** With this direction, the OA stands disposed of. No order as to costs.

**(A.K.Dubey)**  
**Member (A)**

**(J.V.Bhairavia)**  
**Member (J)**

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