

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00333/2020

Wednesday, this the 29th day of July, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

M.K. Kalyanikutty, aged 57 years, W/o. Soman K.K.,
 Postal Assistant, Ernakulam North PO, (compulsorily Retd.),
 Residing at Manamal House, Eroor PO, Ernakulam District,
 Pin – 682 306, Phone - +91 8129236889. **Applicant**

(By Advocate : Mr. Shafik M. Abdul Khadir)

V e r s u s

1. Union of India, represented by the Chief Post Master General,
Kerala Circle, Trivandrum – 695 033.
2. The Director of Postal Services (Head Quarters),
O/o. The Chief Post Master General, Trivandrum 695 033.
3. The Senior Superintendent of Post Offices, Ernakulam Division,
Ernakulam – 682 011. **Respondents**

(By Advocate : Mr. P.G. Jayan, ACGSC)

This application having been heard on 29.07.2020 through video conferencing, the Tribunal on the same day delivered the following:

ORDER (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Mr. Shafik M. Abdul Khadir appearing for the applicant and the Advocate appearing for the respondents through video conferencing.

2. The applicant is aggrieved by the punishment of compulsory retirement imposed as per Annexure A1 order which was arrived at as per Annexure A2 memorandum of charges issued by the 3rd respondent. She had filed this OA seeking the following reliefs:

“(i) To call for the records leading to the issue of Annexures A1 to A12 and to quash the A1 and A2 in the interest of justice;

(ii) To direct the respondents to reinstate the applicant back to service with all consequential benefits including the arrears of pay and allowances as if the applicant had not been compulsorily retired from service;

(iii) To pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case;

And

(iv) To award costs of and incidental to this application.”

3. When the matter came up for consideration today, learned counsel for the applicant submitted that his appeal dated 16.6.2020 (Annexure A12) is still pending consideration by the appellate authority. He will be satisfied if the appellate authority is directed to dispose of the appeal within a time frame.

4. **In view of the limited relief sought by the applicant, without going into the merits of the case, the appellate authority i.e. the 2nd respondent is directed to consider and dispose of the appeal at Annexure A12 dated 16.6.2020 within a period of two months from the date of receipt of a copy of this order.**

5. The Original Application is disposed of as above at the admission stage itself. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the memo No. F6-1/2010/2 dated 18.3.2020 by the 3rd respondent.
- Annexure A2** – True copy of the charge memo No. F6-1/2010/2 dated 27.5.2014 issued by the 3rd respondent.
- Annexure A3** – True copy of the memo No. F6-1/2010/1 dated 19.5.2014 issued by the 3rd respondent.
- Annexure A4** – True copy of the letter F6-01/10-11 dated 9.6.2015 issued by the 3rd respondent.
- Annexure A5** – True copy of the order No. Vig/RR/MKK/206/2018 dated 17.5.2019 issued by the 1st respondent.
- Annexure A6** – True copy of the memo No. F6-1/2010/1 dated 7.8.2019 issued by the 3rd respondent.
- Annexure A7** – True copy of the letter No. F6-1/2010/1 dated 7.8.2019 issued by the 3rd respondent.
- Annexure A8** – True copy of the representation dated 12.10.2019 submitted by the applicant.
- Annexure A9** – True copy of the appeal dated 13.4.2020 submitted before the 1st respondent.
- Annexure A10** – True copy of the representation dated 12.5.2020 submitted by the applicant.
- Annexure A11** – True copy of the letter No. Appeal/5/2020 dated 8.6.2020 issued by the 3rd respondent.
- Annexure A12** – True copy of the appeal dated 16.6.2020 submitted before the 2nd respondent.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-