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**Central Administrative Tribunal  
Principal Bench, New Delhi**

O.A.No.2524/2004

New Delhi this the 23<sup>rd</sup> day of September 2010

**Hon'ble Shri Shanker Raju, Member (J)**  
**Hon'ble Dr. Veena Chhotray, Member (A)**

R.P. Verma, S/o late Shri Bhagwan Singh, retired APM, Belaganj, Agra, presently residing at G-16-B, Mansarovar Park, Shahdara, Delhi-110092.

-Applicant

(By Advocate: Shri G.S. Lobana)

**-Versus-**

1. Union of India through Secretary, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. The Postmaster General, Department of Posts, Agra, UP.
3. The Director Postal Services, O/o Postmaster General, Agra Region, Agra (UP).
4. The Senior Superintendent of Post Offices, Agra Division, Agra (UP).
5. The Senior Postmaster, Head Post Office, Agra (UP).

..Respondents

(By Advocate: Shri S.M. Arif)

**O R D E R**

**Shri Shanker Raju:**

Applicant, who retired on superannuation on 31.03.2002, by virtue of this OA, has impugned Presidential order dated 25.03.2004, whereby on continuing disciplinary proceedings post-retirement under Rule 14 of the CCS (CCA) Rules, 1965, holding him guilty of the charge, on disagreement by the disciplinary authority, in consultation with the UPSC, a penalty of withholding of 50% of the


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admissible pension and forfeiture of the entire gratuity on permanent basis has been inflicted.

2. Admittedly, no review has been preferred by the applicant against this order to the President, which is available under the relevant rules.

3. On our pointed query to the applicant as to filing of the review petition and this suggestion being put to the learned counsel of respondents that the present OA may be treated as a review of the applicant and be decided by the President, no serious resistance has come-forth.

4. Accordingly, leaving the grounds open, we dispose of this OA with a direction to respondent to forward the OA of the applicant as review petition to the competent authority, which in turn shall dispose of the same by a speaking order, dealing with all the contentions raised in the OA, including proportionality of punishment, within a period of 3 months of such reference. Applicant would be at liberty to assail that order in appropriate proceedings. We make it clear that the review shall be decided on merits, without taking into consideration the aspect of limitation. No costs.

  
(Dr. Veena Chhotray)  
Member (A)

  
(Shanker Raju)  
Member (J)

'San.'

Fresh MA 1040/11 for execution  
of order dt 23.9.10