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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

O.A. No. 1722 of 1993

New Delhi, this the 16th day of May, 1994.

Hon'ble Mr Justice S.K.Dhaon, Vice Chairman.
Hon'ble Mr B.N.Dhoundiyal, Member(A).

Jaswant Singh S/O Shri Parbhati Lal, aged about
34 years, employed as Sorting Assistant in the
Office of Sr. Superintendent, Delhi Sorting Division,
Kashmeri Gate, Delhi-6.

... Applicant.
(applicant in person)

v/s.

1. Union of India, through the Secretary,
Dept. of Posts, Ministry of Communication,
New Delhi.
2. The Chief Post Master General, Delhi Postal
Circle, Meghdoot Bhawan, New Delhi-110001.
3. The Sr. Superintendent, Delhi Sorting Division,
Kashmeri Gate, Delhi-6. ... Respondents.
(through Mr M.K.Gupta, Advocate).

Order

Justice S.K.Dhaon, Vice Chairman(oral)

The applicant, who appears in person is aggrieved by the order dated 29.6.1993/16.7.1993 passed by the Senior Superintendent, Delhi Sorting Division, Delhi, reducing him by 10 stages from Rs.1240/- to Rs.975/- in the pay scale of Rs.975-1660/- for a period of two years.

2. A counter-affidavit has been filed on behalf of the respondents. The objection taken at the very out-set is that the applicant has failed to avail of the statutory right of appeal conferred upon him. Therefore, this application is not maintainable at this stage.
3. It appears that the applicant was not properly advised in coming to this Tribunal, directly against the impugned order. He could have filed an

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appeal before the Member (Postal Board), New Delhi within a period of 45 days from the date of receipt of the impugned order. We may note that this O.A. was filed on 23.8.1993, that is, well within 45 days from the date of passing of the impugned order.

4. Keeping in view the special facts and circumstances of the case, we direct that, if the applicant prefers an appeal within three weeks from today, before the competent authority, the authority concerned shall entertain the appeal and treat the same as having been filed within time. The authority concerned shall disposed of the appeal on merits and in accordance with law as expeditiously as possible.

5. With these observations, this O.A. is disposed of finally.

6. There will be no order as to costs.

/sds/


(B.N.Dhoundiyal)
Member(A)


(S.K.Dhaon)
Vice Chairman.