

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHBAD BENCH : ALLAHABAD**

Original Application No. 1497 of 2005

Allahabad, this the 08th Day of January, 2010.

Hon'ble Mr. A.K. Gaur, Member-J
Hon'ble Mrs. Manjulika Gautam, Member-J

Vinay Kumar Singh son of Late Sri Lalta Prasad Singh, r/o village Chatari, P.O. Trilochan (Baragaon) District Jaunpur.

..Applicant.

By Advocate : Shri P.N. Tripathi.

Versus

1. Union of India through Secretary Ministry of Communication Dept. Post and New Delhi.
2. Post Master General Allahabad Region Allahabad.
3. Superintendent of Post Offices Jaunpur.
4. Up Mandaliya Nirikshak (Dak) Kerakat, District Jaunpur.
...Respondents

By Advocate : Shri S. Srivastava

O R D E R

(Delivered By: Hon'ble Mr. A. K. Gaur, Member-J)

Learned counsel for the applicant at the very outset submitted that against the Appellate order 07.03.2000 (Annexure 2 of OA) the applicant preferred Revision Petition but the Revisional Authority while deciding the Revision Petition of the applicant has passed cryptic and non speaking order dated 15.02.2001 (Annexure 1 of the OA) and none of the grounds taken by the applicant in his Revision Petition has been looked into.

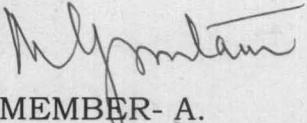
2. Having heard learned counsel for both sides, *prima facie* we find that the order dated 15.02.2001/Annexure A-1 of O.A passed by the Revisional Authority is non speaking and has been passed in a most

casual and perfunctory manner as it has not been decided in accordance with the decision of Hon'ble Supreme Court rendered in the case of **Chairman Disciplinary Authority, Rani Laxmi Bai Gramin Bank Vs. Jagdish Varshney (JT 2009 Vol 4 SC 519)**, **N.M. Arya Vs. United India Insurance Company (2006 SCC (L&S) 840)**, **D.F.O Vs. Madhusudan Das (2008 Vol I Supreme Today page 617)**, **Director, I.O.C Vs. Santosh Kumar (2006 Voll. 11 SCC page 147)** and **State of Uttaranchal Vs. Karag Singh (2008 Vol 8 SCC page 236)** in which it has been held by the Hon'ble Apex Court that while deciding the representation/appeal/Revision by the competent authority, speaking order should be passed.

3. Accordingly, the OA is partly allowed. We hereby set aside the order dated 15.02.2001 (Annexure A-1 of O.A) passed by the Revisional Authority and remit the matter back to the Revisional Authority to consider and decide the Revision Petition of the applicant dated 12.06.2000 (Annexure A-5 of O.A) afresh by a reasoned and speaking order meeting all the contentions raised therein, within a period of three months on receipt of certified copy of the order, as contemplated above, in accordance with law and relevant rules on the subject (as referred above) and communicate the decision to the applicant forthwith.

4. There shall be no order as to costs.

Be it noted that we have not passed any order on merits of the case.



MEMBER- A.

/Anand/



MEMBER- J.