

(10)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

ORIGINAL APPLICATION NO. 772 OF 2005.

ALLAHABAD THIS THE 4<sup>TH</sup> DAY OF January, 2007.

HON'BLE MR. JUSTICE KHEM KARAN, V.C

HON'BLE MR. P.K. CHATTERJI, A.M

Nagendra Kumar Tiwari,  
Aged about 40 years,  
Son of Late Shri Jai Narain Tiwari,  
Residet of village and  
P.O. Ghoredeeh (Khain)  
District : Allahabad. ....Applicant.

(By Advocate:Shri R. Verma/N.K. Singh)

Versus

1. Union of India, through the Secretary, Ministry of Communicaiion (Department of Post), New Delhi.
2. The Post Master General, Allahabad Region, Allahabad-211 001.
3. The Sub Divisional Inspector of Post Offices, Meja Sub Division, Meja, District Allahabad.

....Respondents.

(By Advocate : Shri S. Singh)

O R D E R

By Hon'ble Mr. Justice Khem Karan, V.C. :

The present OA is directed against the punishment order dated 31.7.1992. It is stated by Shri R. Verma that the applicant could not prefer the appeal within the time provided by the rules and his representation against the said

✓

(11)

punishment was rejected. Shri Verma, counsel for the applicant says that this OA may be finally disposed of with a provision that in case the applicant prefers a Departmental Appeal under Rule 22 of CCS(CCA) Rules of 1965, the authority concerned should entertain and dispose of the same on merits. Shri S. Singh, counsel for the respondents says that such a course will not be permissible under the rules. We think that such a course of action can be <sup>adopted</sup> ~~done~~ so as to give one chance to the applicant to get the matter re-considered in the appeal.

2. So this OA is finally disposed of with a direction that in case the applicant files an appeal under Rule 22 of the Rules of 1965 within a period of 15 days from today, the authority concerned shall entertain the same and dispose of it on merits. No costs.

*Meat*

Member-A

*Am*  
04.1.07

Vice-Chairman

RKM/