

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.25/2021

This the 02nd day of February, 2021

**COROM : Hon'ble Shri Jayesh V. Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Nilesh Nimawat
S/o. Ramdas Nimawat
Age about 50 years
Nilkanth Society, P.O. Targhari
Taluka : Maliya
District : Morbi – 363 660.. Applicant

(By Advocate : Ms. Vilas Purani)

Versus

1. Union of India,
Notice to be served through
The Secretary,
Ministry of Communication & IT Dept.
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi 110 001.
2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Director of Postal Services (Appellate Authority)
Rajkot Region, Rajkot – 360 001.
4. The Sr. Supdt. of Post Offices (Disciplinary Authority),
Rajkot Division, Rajkot 360 001. Respondents.

O R D E R – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

In the instant OA, counsel for the applicant, Ms. V.A.Purani submits that disciplinary proceedings were initiated against the

applicant and after conclusion of the said disciplinary proceedings, charges leveled against the applicant has been stated to be established against the applicant. The Disciplinary Authority accepted the report of Inquiry Officer and by exercising the powers conferred under Rule 12 of CCS (CCA) Rules, 1965, awarded major penalty of removal from service upon the applicant. Aggrieved by the said order, the applicant delinquent filed statutory appeal before the Appellate Authority on 18.03.2020 (Annexure A-7) i.e. the Director Postal Services, Rajkot. It is the grievance of the applicant in the present OA is that till date his appeal has not yet been decided though the applicant has submitted repeated request by way of additional representations.

2. At this stage, counsel for the applicant submits that applicant will be satisfied, if appropriate direction be issued to the Appellate Authority to decide his pending appeal/ representation within stipulated time framed.

3. Ms. R.R.Patel, counsel for the respondents submits that she has no objection, if the same is disposed of at this stage.

4. Considering the aforesaid submissions and on perusal of the materials on record, it is noticed that admittedly, the applicant had submitted his statutory appeal before the Appellate Authority on 18.03.2020 (Annexure A-7) and it has been stated that the same is pending for consideration before the Appellate Authority.

5. In view of this factual matrix, without entering into merits of the case, we dispose of this OA with a direction to the Appellate Authority i.e. Respondent No.3 if not yet decided the appeal dated 18.03.2020 (Annexure A-7) of the applicant, the same shall be decided in accordance with the statutory rules expeditiously, but not later than three months from today and intimate the decision to the applicant.

6. In view of the above, the OA stands disposed of.

7. Registry is directed to send copy of this order to the counsel for the applicant through email.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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