

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

OA No.118/2015

This the 21st day of September, 2021.

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

Shri Bharatbhai
Son of Shri Dhansukhbhai Bhatt
Age : 52 years
Residing at : 14/2, Gokulnagar Society
Opp. I.T.I., New Gunj Road,
Palanpur – 385 001. Applicant.

(By Advocate : Shri M.S.Trivedi)

VERSUS

1. The Chief Post Master General
O/o. CPMG, Director General of Posts
Gujarat Circle, Shahibaug,
Ahmedabad 380 002.
2. Director of Postal Services (HQ)
O/o. CPMG, Director General of Posts.
Gujarat Circle, Shahibaug,
Ahmedabad 380 002.
3. Superintendent of Post Offices,
O/o. SPO, Banaskantha Division,
Palanpur – 358 001. Respondents

(By Advocate : Ms. R.R.Patel)

OR D E R (ORAL)

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

1. In the instant OA, the applicant was ordered to be dismissed from the service vide order dated 10.12.2014 from the post of GDS-BPM, Bhagal BO of Banaskantha Division. Aggrieved by the said order, he had filed

an appeal before the Appellate Authority. Since his appeal was not decided, he had approached the Tribunal by way of filing OA No.425/2014, which was disposed of by this Tribunal vide order dated 03.12.2014 with a direction to the respondents to take decision on the pending appeal within prescribed time limit. In compliance of the said order, the Appellate Authority has passed the impugned order dated 09.01.2015 and since the OA is maintainable under the rules, he has again approached this Tribunal by filing of this OA. On notice to the respondents, counter reply was filed wherein the respondents have stated in para 4.4 of the reply that as per Rule 19 of the GDS (C&E) Rules, 2011, the applicant was statutory bound to prefer Revision Application before the CPMG, Ahmedabad. However, the applicant has chosen not to follow the proper channel of procedure and he directly preferred the present OA without exhausting alternative remedy available under the law.

2. By relying on the said averment made in para 4.4 of reply filed by the respondent, counsel for the applicant, Shri M.S.Trivedi request to allow the applicant to file Revision Petition before the Revisional Authority and appropriate direction be issued to the Revisional Authority to dispose of his Revision Petition without going into technical grounds of delay in preferring revision under the provision of Rule 19 of GDS(C&E) Rules, 2011.

3. Considering the aforesaid submissions and request, we deem it fit to dispose of this OA by allowing the applicant herein to avail alternative remedy of revision. The applicant is directed to file his Revision Petition within 30 days from today and it is expected that the Revisional Authority while deciding the same within three months from the date of receipt of said application in accordance with the rules and materials on record.
4. In view of the above, the OA stands disposed of. No order as to costs.

**(A.K.Dubey)
Member (A)**

**(J.V.Bhairavia)
Member (J)**

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