

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

OA No.54/2021

This the 22nd day of February, 2021

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

Smt. Jyoti K.Desai
W/o. Shri Kamalnayan Desai
Aged 59 years
Working as Postal Assistant,
Race Course Post Office, Vadodara.
Residing : 26/B, Ajit Nagar, Urmi Road,
Akota, Vadodara – 390 020. Applicant

(By Advocate : Ms. S.S.Chaturvedi)

Versus

1. Union of India,
Notice to be served through
The Chief Postmaster General,
Khanpur, Ahmedabad – 380 001.
2. Postmaster General
Pratap Gunj, Vadodara Region,
Vadodara – 390 002.
3. Senior Supdt. of Post Office
Vadodara West Division,
Vadodara – 390 002. Respondents.

ORDER – ORAL

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

Counsel for the applicant, Ms. S.S.Chaturvedi submits that vide
impugned order dated 04.02.2020/ 04.02.2021 (Annexure A-1), the
Disciplinary Authority awarded minor penalty to the applicant. It

appears that in the said order, due to typography error, the date of order has been stated as 04.02.2020 instead of 04.02.2021.

Aggrieved by it, the applicant has filed appeal before the Appellate Authority on 12.02.2021 (Annexure A-12). However, the said appeal has not been decided till date. It is the apprehension of the applicant that pursuant to the order passed by the Disciplinary Authority to recover Rs.5,38,626/- in equal 11 installments of Rs. 48966/- of each from the pay and allowances of the applicant, her salary will be deducted w.e.f. 01.03.2021. It is also plea of the applicant that the applicant is receiving salary of total amount of Rs.67566/- (Take Home) and if the amount of Rs. 48966/- per month in 11 installments will be deducted, then very less amount will be left for the applicant, which will make it difficult for her to maintain the family. Counsel for the applicant submits that till final decision on her appeal pending before the Appellate Authority is taken, the respondents be restrained from any recovery/ deduction of the said amount from her salary.

2. Counsel for the applicant submits that she may be permitted to pursue her request by way of filing another application before the Appellate Authority for redressal of her grievance and to obtain interim relief from the Appellate Authority.

3. At this stage, counsel for the applicant submits that applicant will be satisfied, if appropriate direction be issued for expeditious

consideration on her early decision on her application and on her pending appeal.

4. Considering the aforesaid submissions and looking to the facts of the present case, undisputedly the appeal against the order passed by the Disciplinary Authority is pending before the Appellate Authority, without entering into merits of the present case, we deem it appropriate to dispose of this OA by granting liberty to the applicant to file an additional application before the Appellate Authority with regard to grant of interim relief within one week from the date of receipt of this order. The Appellate Authority is directed to consider it as per rules and materials on record. It is expected that Appellate Authority will decide the pending appeal of the applicant as well as additional appeal, if preferred, expeditiously, but not less than 45 days from receipt of such additional appeal and intimate the decision to the applicant.

4. In view of the above, the OA stands disposed of. No costs.

5. 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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