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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 1921/2021
MA NO. 2449/2021**

This the 13th Day of September, 2021

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Lokesh Kumar
S/o Sh. Mahesh Chandra,
R/o H. No. 107, Sector 9,
Vijay Nagar,
Ghaziabad UP,
Presently posted at GDS/BPM
Tugalpur

... Applicant

(By Advocate : Mr. Girish Kumar)

Versus

1. Union of India
Through The Secretary,
Ministry of Communication,
Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi-110001
2. The Director General of Post
Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi-110001
3. The Chief Postal Master General,
UP Circle, Lucknow-226001
4. The Director of Postal Service,
Ghaziabad Division,
Ghaziabad-201002

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5. The Senior Superintendent of Post Office
Ghaziabad Division,
Ghaziabad -201002

... Respondents

(By Advocate : Shri Sanjeev Yadav)

O R D E R (ORAL)

Hon'ble Mr. R.N. Singh, Member (J) :

Learned counsel for the applicant, at the outset, submits that he has already filed amended memo of parties on 10.09.2021 in terms of the liberty accorded to the applicant by this Tribunal in the previous order.

2. In the present OA filed under section 19 of the Administrative Tribunals Act 1985, the applicant has prayed for the following relief(s):-

- “i) To issue an order, rule or direction to quashing and setting aside the impugned order/Show Cause Notice by which the respondent has proposed to terminate the services of the applicant being contrary to GDS (C&E) Rules and principal of natural justice as well as law of land.
- ii) To issue an order rule or direction directing the respondents to allow the applicant to continue to work on the said post and pay the monthly salary as and when due and did not terminate his services against the rules and further the applicant be promoted in terms of order dated 04.09.2020 in OA No. 976/2020 in

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which the present applicant was the applicant No. 22.

- iii) To issue an order rule or direction, which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case to which the applicant may be found entitled under law.
- iv) To award the cost of the original application may also be awarded in favour of the applicant."

3. Learned counsel for the applicant submits that in response to the impugned show cause notice dated 22.12.2020, Annexure A-1 (Colly), the applicant has preferred a reply, Annexure A-10 (Colly) and even after lapse of more than 6 months, the final decision has not been taken by the respondents. He further adds that the applicant is still continuing under the respondents.

4. Issue notice. Shri Sanjeev Yadav, learned counsel who appears for the respondents on advance service, accepts notice.

5. At this stage, learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of with direction to the respondents to consider the applicants' aforesaid reply to the show cause notice Annexure A-10 (colly) and to pass an appropriate

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order keeping in view all the relevant facts, rules and instructions on the subject.

6. To such request of the learned counsel for the applicant, there is no objection raised from learned counsel appearing for the respondents.

7. In view of the aforesaid, without going into the merit of the claim of the applicant, the present OA is disposed of with direction to the respondents to consider the applicant's aforesaid pending reply, Annexure A-10 (Colly) pursuant to the impugned show cause notice dated 22.12.2020 Annexure A-1 (colly) and to dispose of the same by passing a reasoned and speaking order, as expeditiously as possible, and in any case within six weeks from the date of receipt of a copy of this order. It is further made clear that till such order is passed the respondents shall maintain status-quo qua the services of the applicant under them.

8. The OA is disposed of in view of the aforesaid terms. Pending MA also stands disposed of. No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/cc/daya/arti/