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**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)**

Original Application No. 332/000244/2020

Date of Order: This, the 5th Day of April, 2021

HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Madhav Narayan Gautam, aged about 62 years, s/o
sri Ram Narain Sharma, R/o 113, Preet Vihar, Delhi Road,
Hapur, at present R-538 Ka/651, Chanakya Pur, Triveni
Nagar, Lucknow.

... Applicant



By Advocate: Shri Dharmendra Awasthi.

- Versus -

1. Union of India through the Secretary Posts, Dak Bhawan, Sansad Marg, Government of India, New Delhi.
2. The Director, Postal Services, Ghaziabad Division, Ghaziabad.
3. Senior Superintendent of Post Offices, Ghaziabad Division, Ghaziabad.

.....Respondents.

By Advocate: Smt. Prayagmati Gupta

ORDER (ORAL)**BY THE HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)**

At the outset, Shri Dharmendra Awasthi, learned counsel for the applicant, submitted that the order for recovery of Rs. 3,00,000/- from the gratuity of the applicant has been appealed by the applicant and that this appeal is presently pending consideration before the respondents.



2. He further stated that since, this recovery has been effected already from the applicant as a direct consequence of penalty being visited upon him in this matter, he would be satisfied if a direction is given to the respondents to decide the appeal pending against the said recovery in a time bound manner. He further stated that in the event of such a direction being given, he would pray for disposal of the present O.A. at the admission stage itself with liberty to file a fresh one in the event of an adverse decision in the aforementioned appeal.

3. At this, Smt. Prayagmati Gupta, learned counsel for the respondents, submitted that in case the applicant's appeal is to be decided in the manner sought, then a period of at least three months would be required in order to dispose of the appeal, (Annexure A-10), preferred by the applicant in view of the operational difficulties being faced during the ongoing Covid pandemic.

4. Looking to the limited nature of the plea made by the learned counsel for the applicant and without entering into the merits of the case, I deem it appropriate, in the facts and circumstances of the case, to dispose of this OA at the stage of admission itself by directing the respondents to consider and dispose of the appeal preferred by the applicant against the recovery of Rs. 3,00,000/- made from him, (Annexure A-10), by way of a reasoned and speaking order in accordance with law within a period of three months of receipt of a certified copy of this order.



5. Original Application is disposed of accordingly at the admission stage itself with liberty to the applicant to file afresh in the event of an adverse decision on his pending appeal; (Annexure A- 10). There shall be no order as to costs.

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(A.MUKHOPADHAYA)
MEMBER (A)

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