

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH ALLAHABAD

Original Application No. 989 of 1992

Mahendra Pal Singh Applicant

Versus

Union of India & Others Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

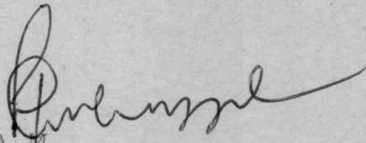
The applicant has prayed that the departmental appeal against the punishment order dated 29.1.1982 removing him from service has not yet been disposed of. This case can be disposed of finally at this stage itself. The applicant was convicted by the trial court against which he filed an appeal, which was decided subsequent departmental proceeding. In the appeal it appears that the conviction was maintained but the benefit of section 4 of the U.P. First offenders' Probation Act was ^{not} given to the applicant. ~~The grievance~~


2. The grievance of the applicant is against the punishment order and after decision in appeal by High Court, the same has not been decided so far. The applicant submitted his representation for re-consideration of the order of removal, but the applicant received no reply. The department tied over the matter and did not decide the appeal. In case, the department decides the appeal taking into consideration the legal position, the same would have gone in his favour and the appeal has not been decided, ~~he~~ ^{he} wants ^{to} interfere in this stage, and accordingly, we direct the respondents

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to dispose of the appeal filed by the applicant by a speaking order taking into consideration the correct legal position. The appeal shall be disposed of by the respondents within a period of six weeks from the date of communication of this order. The application is disposed of with above observation without any order as to costs.


A.M.


V.C.

Allahabad Dated 27th July, 1992.

(RKA)