

(D)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

Original Application No. 596 of 1995

Allahabad this the 10th day of July 1995

Hon'ble Mr. Justice B.C. Saxena, Vice Chairman  
Hon'ble Mr. S. Das Gupta, Member(Admn.)

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Kush Prakash S/o Shri Daya Nand Dhusiya, P/o  
Village and Post Majhara Vikram Puram Bagh,  
Khalilabad, Distt. Basti.

APPLICANT

By Advocate Shri Narendra Kumar

Versus

1. Union of India through Secretary, Dak Bhawan,  
New Delhi.
2. Post Master General, Gorakhpur Rang, Gorakhpur
3. Senior Superintendent of Post Offices, Basti  
Division, Basti.
4. Sub Divisional Inspector(P), Khalilabad,  
Sub Division, Basti.

RESPONDENTS

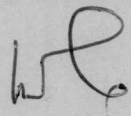
O R D E R (Oral)

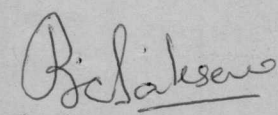
By Hon'ble Mr. Justice B.C. Saxena, Vice Chairman

Heard, Shri Narendra Kumar, learned  
counsel for the petitioner. The present O.A.  
challenges the order dated 16.5.1995 passed by  
respondent no.3 removing the applicant from  
service from the post of City Postman. Against  
the said order of punishment, the applicant had  
filed an appeal, copy of which is Annexure A-5.  
We have gone through the representation, except

the last paragraph that the applicant had received the impugned order of punishment, no grounds are indicated in the said representation to enable the appellate authority to decide the representation. The applicant had filed this representation on 24.5.1995<sup>and</sup> this O.A. was filed immediately after expiry of 7 days, on 31.5.1995. In view of the Section 20 of A.T. Act, it ought to have been filed atleast after six months, before approaching the Tribunal. The O.A. is pre-mature and is accordingly dismissed.

2. Shri S.C. Tripathi has filed his vakalatname on behalf of the respondents. We, however, make it clear, nothing in this order will preclude from filing a proper <sup>appeal, if so advised</sup> ~~application~~. The appellate authority, if such an appeal filed, will not <sup>be</sup> reject on the ground of limitation but, will consider the same on merits and passed necessary orders.

  
Member(A)

  
Vice Chairman

/M.M./