

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 15TH DAY OF MARCH, 2001

Original Application No.1461 of 2000

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Laloo Lal Gupta, Son of late Shri Purushottam Das, R/o 209/112 Baluwaghat, Allahabad, presently posted as Post Master, Varanasi Cantt. Head office District Varanasi.

... Applicant

(By Adv: shri N.L.Srivastava)

Versus

1. Union of India through the Post Master General, Allahabad.
2. Director, Postal Services, Allahabad.
3. Superintendent of Posts (West) Varanasi.

... Respondents

(By Adv: shri R.C.Joshi)

O R D E R (Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

This OA has been filed challenging order dated 31.10.2000 by which direction has been given to recover amount of Rs.52,500/- from the applicant from his salary @ Rs.2500/- per month. Learned counsel for the applicant has submitted that against the aforesaid order applicant has already filed appeal before Director Postal Services on 28.11.2000 but the appeal has not yet been decided nor any order staying the recovery of the amount has been passed. Learned counsel has submitted that the recovery of amount ^{at the rate of} of Rs.2500/- ^{per month} is very harsh and if the recovery continues it shall be difficult for him to maintain his family.

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Shri M.B.Singh learned counsel for the respondents on the other hand submitted that ~~let~~^{the} the Appellate Authority may be directed to decide the appeal within a specified time. I have considered the submission of counsel for the parties. Hon'ble Supreme Court in case of 'S.S.Rathore Vs.State of Madhya Pradesh, AIR 1990 SC pg-10 has already given direction that departmental appeal and revisions should be decided by the Appellate Authority within a period of three months to 6 months. In the present case appeal was filed on 28.11.2000. More than three months period ~~had~~^{has} already passed the Appellate Authority could have decided the appeal during this period. Considering the delay involved, this OA is disposed of finally with the direction to respondent no.2 to decide the appeal of the applicant within two months from the date a copy of this order is filed before him. A copy of this order shall be given to the counsel for the parties by the office within 48 hours. There will be no order as to costs.


VICE CHAIRMAN

Dated: 15.3.2001

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