

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 08<sup>th</sup> day of *November, 2006*.

**ORIGINAL APPLICATION NO. 1415 OF 2003**

**HON'BLE MR. K. ELANGO, MEMBER- J.  
HON'BLE MR. M. JAYARAMAN, MEMBER- A.**

Ramagya Prasad, S/o Sri Ram Narain Prasad,  
R/o Vill. Neeba, P.O. Majha Narain (Sarao),  
Distt. Deoria. ....Applicant.

**VE R S U S**

1. Union of India , through Secretary, M/o Communication,  
D/o Posts, New Delhi .
2. Director of Postal Services, U.P. Circle,  
Gorakhpur Region , Gorakhpur .
3. Senior Superintendent of Railway Mail Services,  
'G' Division, Gorakhpur.  
.....Respondents

Counsel for the Applicant: Sri M.D. Mishra  
Counsel for the Respondents : Sri Saurav Srivastava

**OR D E R**

**BY HON'BLE MR. M. JAYARAMAN, AM.**

Heard Sri M.D. Mishra, learned counsel appearing for the applicant and Sri Saurav Srivastava for the respondents.

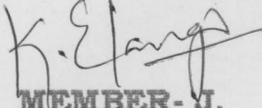
2. The only point that arises for consideration in this O.A is that whether the applicant should be promoted w.e.f. 20.12.1985 i.e.

earlier than the date given i.e. 04.06.2002. The main contention of the learned counsel for the applicant is that the applicant during his service period was subjected to disciplinary proceedings and awarded some punishment, which was set aside subsequently. Similarly, he was proceeded in criminal proceeding in a Court of Law where he was acquitted honorably by the Court. His plea is that the authorities concerned should have given him promotion from the date he was entitled to get the promotion i.e. w.e.f. 20.12.1985 and not from 04.06.2002. We find that against the order dated 14.02.2003, the applicant has preferred an appeal, which has been marked as Annexure A- 7 to the O.A. Learned counsel for the applicant submits that till date he has not been favoured with any reply.

3. In this situation, we feel it just and proper to give a direction to the concerned authority to consider and decide the appeal filed by the applicant by a speaking order, within a reasonable time period.

4. We accordingly, allow this O.A and give direction to respondent No. 2 namely Director, Postal Services, Gorakhpur Region, Gorakhpur (U.P.) to consider the appeal filed by the applicant and decide the same in accordance with law by passing a speaking order. Since this matter has been hanging fire since 2003 and the applicant has already retired from service, we consider it proper to direct the respondent No. 2 to decide the matter within a period of three months. No costs.

Let a copy of the order be made available to the counsel for parties by tomorrow.

  
\_\_\_\_\_  
MEMBER-A.  
\_\_\_\_\_  
MEMBER-U.