

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 183 OF 2003
ALLAHABAD THIS THE 27TH DAY OF MARCH, 2003

HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER-A
HON'BLE MR. A.K. BHATNAGAR, MEMBER-J

Laxmi Shankar Mishra,
S/o Chandra Bhushan,
the then posted ADM SBHO (u/s)
Deoria Head Post Office.Applicant

(By Advocate Shri R.P. Mishra)

Versus

1. Union of India,
through Secretary,
Ministry of Communication Department of Post,
New Delhi.
2. Director of Postal Department,
Gorakhpur Region,
Gorakhpur.
3. Senior Post Master,
Deoria-274001.Respondents

(By Advocate Shri R.C. Joshi)

ORDER

HON'BLE MAJ. GEN K.K. SRIVASTAVA, MEMBER-A

In this O.A. filed under section 19 of Administrative
Tribunals Act 1985, the applicant has challenged the order
dated 27.11.2000 passed by respondent no.2 awarding the
punishment of compulsory retirement and also ordering for
recovery of Rs10,000/-, the loss suffered by the department.



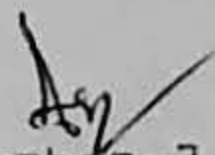
2. The brief facts of the case are that the applicant ^{has} ~~was~~ working in the respondent's establishment since 1962. While working as Assistant Post Master Deoria, Head Post Office, ^{he} ~~he~~ was served with a chargesheet for major penalty on 04.01.2000. After conclusion of the disciplinary proceedings, the disciplinary authority ^{passed} ~~passed~~ the order on 27.11.2002 awarding the punishment of ^{compulsory} ~~compulsory~~ retirement.

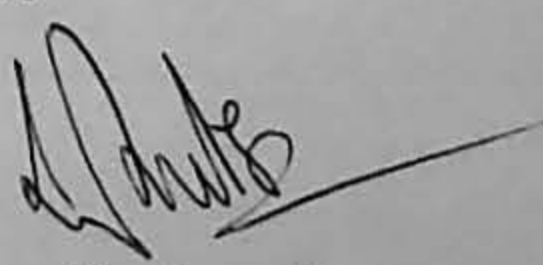
3. The applicant's counsel submits that the applicant may be allowed to file appeal against the order dated 27.11.2002 (Annexure-1).

4. We have heard counsel for the parties, considered their submissions, and perused records.

5. In the interest of justice it is appropriate that the applicant exhausts the departmental remedy which are available to him to meet the requirements of section 20 of the A.T. Act 1985. We, therefore, dispose of this O.A. at the admission stage itself with liberty to the applicant to file ~~an~~ appeal challenging the punishment order within a period of one month. Such an appeal, ^{if} ~~if~~ filed ^{within} ~~within~~ one month shall be treated as having been filed in time. The appellate authority is directed to decide the same within a period of six months from the date of communication of this order.

6. There will be no order as to costs.


Member-J


Member-A

/Neelam/