

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Allahabad this the 17th day of March 2010

PRESENT:

HON'BLE MR. A.K.GAUR, MEMBER-J

HON'BLE MRS.MANJULIKA GAUTAM, MEMBER-A

Original Application No.25/2006

(U/s 19 of the Administrative Tribunals Act 1985)

Hard wari Lal Sharma,
S/o late Har Prasad Sharma,
Village and Post Aulina,
Police Station – Aurangabad,
District – Buland Shahar.

...Applicant

(By Advocate : Shri . A.K.Shrivastava)

Versus

1. Union of India through Secretary,
Ministry of Communication,
Dak Bhawan, New Delhi.
2. Post Master General, Agra Region, Agra.
3. Superintendent of Post Offices,
Buland Shahar.

...Respondents

(By Advocate : S/Shri. S.Shrivastava / R.K.Shrivastava)

ORDER

HON'BLE MR. A.K.GAUR, MEMBER-J

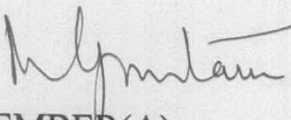
We have heard Shri A.K.Srivastava, learned counsel for applicant and R.K. Srivastava, learned counsel appearing for respondents. Shri A.K. Srivastava, learned counsel for applicant has made an innocuous prayer that he would not contest the O.A. on other grounds, except that the applicant has been debarred from appearing in the departmental examination for three years arbitrarily vide order dated 20.11.2002 (order of punishment). Shri A.K.Srivastava, learned counsel for applicant

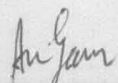
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would contend that this period of three years have already been elapsed, but still the respondents are not permitting the applicant to appear in the departmental examination. We find no justification in not permitting the applicant for appearing in departmental examination after the expiry of three years of the order of punishment.

2. Accordingly, we direct the applicant to prefer a representation to the competent authority for permitting him in the future examinations and also with regard to the arrears of salary etc. within two weeks from the date of receipt of copy of this order and if such a representation is received, the competent authority shall consider and dispose of the same by passing a reasoned and speaking order, within a period of three months from the date of receipt of the order.

3. O.A. is accordingly disposed of as aforesaid. No costs.


MEMBER(A)


MEMBER(J)