

(2)

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.295 of 2007.

Allahabad, this the 26th day of March, 2007.

Hon'ble Mr. P.K. Chatterji, Member-A
Hon'ble Mr. S.K. Dhal, Member-J

1. Arvid Kumar Sharma, S/o Late Shri Kali Charan sharma, Postal Assistant, Post Office, Mangri, District Varanasi.
2. Manoj Kumar Singh, S/o Late Shri Surendra Singh, Postal Assistant, Post Office :Luxa, District Varanasi.
3. Sunil Verma S/o Shri Shambhu Nath Verma, Postal Assistant, Post Office : Mahmoorganj, District Varanasi.
4. Shyam Bahadur Singh S/o Late Shri Dev Nath Singh, Postal Assistant, Post Office, Aurangabad, District Varanasi.
5. Satish Kumar S/o Late Shri Sita Ram, Postal Assistant, Post Office : Mahmoorganj, District : Varanasi.

...Applicants.

(By Advocate : Shri S. Mandhyan)

Versus

1. Union of India, through C.P.M.G., U.P. Circle, Hazratganj, Lucknow.
2. Director, Postal Services, Allahabad Region, Allahabad.
3. Superintendent of Post Offices, West Division, Varanasi-221 002.

...Respondents.

(By Advocate : Shri S. Singh)

O R D E R

By Hon'ble Mr. P.K. Chatterji, A.M. :

This application is against the order of punishment issued by respondent No.3 i.e. Superintendent of Post Offices, West Division, Varanasi ~~against the order of punishment~~ of recovery from the pay of difference amounts in

Mandhyan


(3)

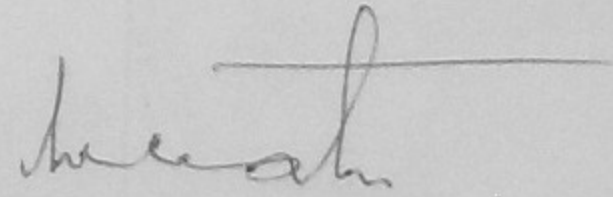
monthly instalment from the pay of the applicants. The applicants are aggrieved that they have been punished on a fraud^{for} alleged contributory negligence, which is also not proved ^{beyond} ~~doubt~~ ^{art.}. They have stated that the order of punishment of the respondents is arbitrary and it was issued without giving reasonable opportunity to them ~~and~~ ^{as} it was proceedings under minor penalty charges.

2. It is also stated by the applicants that the appeal filed by them on 15.2.2007 is still pending before the appellate authority i.e. respondent No.2. The appeals are yet to be disposed of and the applicants have also pleaded that the recovery is causing hardship and for this reasons it should be stayed atleast till the finalisation of appeal.

3. We are of the view that this is not too unreasonable ^a ~~as~~ request made by the applicants. With this consideration, we hereby direct that the appeals made by the five applicants dated 15.2.2007 should be disposed of by the Appellate Authority i.e. respondent No.2 within a month from the date of receiving a certified copy of the order. Till the disposal of the appeal, the recovery of the monthly instalment from the pay of the officials should be stayed.

4. With these directions, this OA is disposed of.


Member-J


Member-A

RKM/