

(7)

Shri C.S. Vaghela,
 Narshinhnagar Naka,
 Old Vadaj, Ramapir's Tekro,
 A h m e d a b a d.

.. Petitioner

Versus

1. Shri P.P. Mahadevan,
 Chief Post Master,
 G.P.O., Ahmedabad

2. L.T. Lakhani,
 Dy. Chief Post Master II,
 G.P.O., Ahmedabad

3. Union of India through
 The Secretary, Dept. of Post,
 Telecommunications, New Delhi. .. Respondents.

Coram : Hon'ble Mr P H Trivedi .. Vice Chairman

Hon'ble Mr P M Joshi .. Judicial Member

O R D E R2/9/1987

per : Hon'ble Mr P. H. Trivedi .. Vice Chairman

Heard the learned advocates Mr. J.J. Yajnik for the applicant and Mr J.D. Ajmera for the respondents. In the circumstances of this case, it appears that the petitioner was already awarded minor punishment more than once and the present petition is a result of the punishment awarded to him for a similar misconduct and absence. However, ex-facie it would appear that the punishment of compulsory retirement from service of the petitioner ~~having been punished of~~ ~~compulsory retirement~~ is excessive inasmuch as he has more than 10 years of service left for retirement on normal due date. As stated by the learned advocate for the respondents further remedy is available to him under Rule 29 of the C.C.S. (Discipline and Appeal) Rules, 1965 under which the petition for revision can be made to the Member Personal Post Services, P & T Dept. of Post Offices of Director General, New Delhi. The petitioner should have a further

opportunity to place his cause for suitable remedy. After exhaustion of remedy if there is any cause left, the petitioner is free to approach the Tribunal. If petition for revision is made within a period of one month of the date of this order, the bar if any on account of delay regarding limitation be condoned. It is directed that the petition be disposed of within a period of 6 months from the date of its receipt. With this direction, the case is disposed of.

Phenir
(P H Trivedi)
Vice Chairman

Impe
(P M Joshi)
Judicial Member