

NO Removal

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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. <sup>51</sup> 240/1991 (CA/400/92)  
T.A. No.

DATE OF DECISION 8-9-1992

Shri H.R. Pandya Petitioner

Shri B.B. Gogia Advocate for the Petitioner(s)

**Versus**

Union of India and Ors. Respondent

Shri P. M. Raval Advocate for the Respondent(s)

**CORAM :**

The Hon'ble Mr. Shri N.V. Krishnan

Vice Chairman.

The Hon'ble Mr. R.C. Bhatt

Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement ? ✓
4. Whether it needs to be circulated to other Benches of the Tribunal ? ✓

order sheet filed  
by

Shri H. R. Pandya  
37, Anandnagar,  
Morbi 2.

Applicant.

Advocate                      Shri B. B. Gogia

Versus

1. Union of India  
through its secretary,  
Postal Department  
Government of India  
New Delhi.

2. Senior Superintendent  
Rajkot Division,  
Rajkot.

3. Chief Post Master General  
Gujarat Circle  
Ahmedabad.

Respondents.

Advocate                      Shri P. M. Raval

O R A L   J U D G E M E N T

O.A. St. 240/1991  
e CA/400/92)

Date : 8-9-1992.

Per Hon'ble                      Shri N. V. Krishnan

Vice Chairman.

Shri B. B. Gogia for the applicant.

Shri P. M. Raval for the respondent.

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This O.A. was restored to file by our order dated 11-8-1992. The translation of the documents in ~~the~~ Gujarati in the O.A. has now been produced in English in the registry.


2. We admit the application. At our request Shri Akil Kureshi enters appearance for the respondent. In the view that we are taking in this matter, we do not find it necessary to wait for any reply from the respondents. The applicant's grievance relates to the penalty awarded to him in disciplinary proceedings. Initially the Senior Divisional Inspector Morbi awarded penalty of censure by his orders dated 21-8-1989 (Annex. A-11). The second respondent (Senior Superintendent of Post Office, Rajkot) issued a notice for enhancing the punishment (Annex. A-12) to which the applicant submitted a representation (Annex. A-13). After considering this, the penalty was modified to removal from service by the order dated 30-3-1990 (Annex. 14).

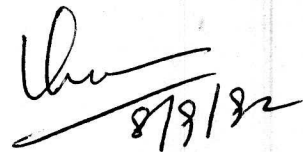
3. In regard to appeal, he was advised that it lies to the Chief Post Master General, Gujarat (Respondent no. 3) vide the Annexure A-16 advice dated 8-10-1989.

u 4. The applicant states that the appeal filed before the Chief Post Master General, Respondent No.3 against the enhanced penalty order is pending since 11-10-1990. It has not been disposed of.

5. In this circumstances, we direct the third respondent to consider the appeal dated 11-10-1990 filed by the applicant (Annexure A-17), along with the original records of the case and dispose it of in accordance with law within three months from the receipt of this order, if not already disposed of and inform the applicant of his decision.

6. This O.A. is disposed of with the above direction . No order as to cost.

  
(R.C. Bhatt)  
Member (J)

  
(N. V. Krishnan)  
Vice Chairman

\*AS.