

**IN THE CENTRAL ADMINISTRATIVE TRIAUNAL**  
**AHMEDABAD BENCH**

O.A. No./334/93  
T.A. No.

**DATE OF DECISION** 14th July, 1993.

Vinayakant Ochhavlal Trivedi Petitioner

Mr. S.M. Trivedi Advocate for the Petitioner(s)

Versus

Union of India & ors. Respondent

Mr. Akil Kureishi Advocate for the Respondent(s)

**CORAM :**

The Hon'ble Mr. R.C. Bhatt : Judicial Member

The Hon'ble Mr. M.K. Kolhatkar : Administrative Member

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?

Vinayakant Ochhavlal Trivedi,  
Ex-Branch Post Master,  
At & Post-Pithai,  
Tal. Kapadwanj,  
District- Kheda

.....Petitioner

Advocate : Mr.S.M.Trivedi.

**versus**

1. Union of India,  
Notice to be served through  
The Secretary, Posts &  
Telegraphs,  
New Delhi
2. Senior Superintendent of  
Post Office, Kheda Division,  
At Anand,  
District- Kheda
3. Sub Divisional Inspector,  
(Postal),  
Kapadwanj Sub Division,  
Kapadwanj-387620
4. Senior Superintendent of  
Post Office,  
Surat Division,  
Surat.

...Respondents.

Advocate : Mr.Akil Kureshi

ORAL JUDGEMENT

O.A./334/93

Date : 14/7/1993

Per : Hon'ble Shri R.C.Bhatt,  
Judicial Member.

Mr.S.M.Trivedi, learned advocate  
for the applicant. Mr.Akil Kureshi, learned advocate for

the respondents.

2. The applicant has filed this application under section 19 of the Administrative Tribunal Act, seeking the relief to quash and set aside the order dated 14/5/93. produced at Annexure A I . and also for injunction restraining the respondents from implementing ~~to~~ the said order at Annexure A. I.. The order Annexure A I is passed by the Senior Superintendent Post Office, ~~who~~ which was exercising the power as a Disciplinary authority under Extra Departmental ( Conduct and Service Rules ~~xx~~ 1964 ). We have drawn the attention of the learned advocate for the applicant that there is Rule 10 for filing an appeal against such order which falls under Rule 7 . Hence, the applicant should exhaust that remedy before approaching this Tribunal. Section 20 of the Administrative Tribunal Act, comes in the way of the applicant. The application is therefore, premature. and it ~~is~~ shall have to be disposed of accordingly. However, the Appellate authority to condone the delay in filing the appeal by this applicant before that authority, if the applicant makes an application for condonation of delay in filing an appeal. The application is disposed of accordingly. No order as to costs. The applicant should approach the authority at the earliest to avoid further delay.

M.R.Kolhatkar  
( M.R.Kolhatkar)  
Admn.Member

R.C.Bhatt  
( R.C.Bhatt )  
Judicial Member

CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

Application No. 09/334/93 of 19

Transfer Application No. \_\_\_\_\_ Old W. Pett. No

CERTIFICATE

Certified that no further action is required to be taken and the case is fit for consignment to the Record Room (Decided)

Dated : 21/07/93.

Countersigned :

*ashok RN 93* R8C  
Signature of the Dealing  
Assistant

Section Officer/Court officer

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AT AHMEDABAD BENCH

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CAUSE TITLE 04/734/93 OF 19

NAMES OF THE PARTIES V. O. Trivedi

## VERSUS

Union of 7-8 yrs.

PART A B & C