

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

O.A. No. 364/93  
T.A. No.

DATE OF DECISION 5-7-1993

Shri B.N. Sur Petitioner

Shri P.K. Handa Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Shri Akil Kureishi Advocate for the Respondent(s)

**CORAM :**

The Hon'ble Mr. N.B. Patel Vice Chairman.

The Hon'ble Mr. V. Radhakrishnan Member (A)

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 ?

Shri B.N. Sur  
 Nehru Falia, Opp. Ranchbodji  
 Temple, Gorwa, Vadodara

Applicant

Advocate Shri P.K. Handa

Versus

1. Union Of India, owing and represented  
 by Director General, Department of Posts,  
 Dak Bhavan, New Delhi

2. Post Master General  
 Vadodara Region  
 Pratapganj, Vadodara

3. Director, Postal Services,  
 Vadodara Region, Pratapganj  
 Vadodara.

4. Sr. Superintendent of Post Office,  
 West Division, Patheganj, Vadodara

Respondents

Advocate Shri Akil Kureshi

ORAL JUDGEMENT

In

O.A. 364 of 1993

Dt. 5-7-1993

Per Hon'ble Shri N.B. Patel Vice Chairman.

It appears that the applicant has filed an appeal dated 4th January 1993. The impunged order does not contain anything to show that the appeal preferred by the applicant is decided by the respondent no.3. The impunged order purporting to have been passed in exercise under Rule 29, C.C.S (C.C.A) Rules, is, therefore, quashed and set aside with the direction to

to hear the appeal of the applicant dated 4th January 1993 and also the proceedings initiated by the respondent no.3 under Rule 29 and to dispose of the same by common order dealing with all the contentions raised by the applicant in his appeal as well as in the reply to the show cause notice issued to him. The respondent no.3. may also give personal hearing to the applicant, if so demanded by him. The respondent no.3 is directed to decide the appeal and the proceeding under Rule 29 within a period of 10 weeks from the date of the receipt of a copy of this order. The representation of the applicant dated 4th January 1993 will be treated by the respondent no.3 as the applicant's appeal and will be entertained without entering into the question of delay or limitation. It will be open to the applicant to contend before the respondent no.3 that the initiation of the proceedings under Rule 29 of the C.C.S (C.C.A.) Rules, before the expiry of the appeal period was bad in law.

2. In view of the above directions, Mr. Handa seeks permission to withdraw the application. Permission granted. Application stands disposed of as withdrawn. No order as to costs.

  
(V. Radhakrishnan)  
Member (A)

  
(N.B. Patel)  
Vice Chairman.

\*AS.

CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

Application No. CA/364/93 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 : 08/07/93.

Countersigned :

*Shafiq 8/93*

*286*  
Signature of the Dealing  
Assistant

Section Officer/Court officer

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE 09/3644/93 OF 19

NAMES OF THE PARTIES B.N. Sury

## VERSUS

U. S. G. S. 7.808.

PART A B & C