

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 196 of 1990

Date of Decision: 24.5.1993

Bhaskar Nahak

Applicant

Versus

Union of India & Others

Respondents

For the applicant

M/s.A.K.Bose
P.K.Giri,
Advocates

For the respondents

Mr.Aswini Kumar Mishra
Standing Counsel
(Central Government)

...

C O R A M:

THE HONOURABLE MR.K.P.ACHARYA, VICE-CHAIRMAN

AND

THE HONOURABLE MR.H.RAJENDRAPRASAD, MEMBER (ADMN)

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1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? *NO*
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes

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JUDGMENT

MR. K.P. ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioner challenges the order passed by the Director of Postal Services not entertaining appeal preferred by the petitioner Shri Bhaskar Nahak on the ground that limitation had operated against him.

2. Shorn ^{il} of unnecessary details ^{which} would suffice to say that the petitioner was proceeded ^{against} with a disciplinary enquiry for having misappropriated certain Government cash and he was ordered to be removed from service. The petitioner preferred an appeal and the appellate authority, i.e. Director Postal Services held that the ^{appeal} ~~delay~~ is barred by limitation; and hence rejected the appeal.

3. We have heard Mr. A.K. Bose, learned counsel for the petitioner and Mr. Aswini Kumar Mishra, learned Standing Counsel. We condone the delay; and we would direct that the Director of Postal Services, Berhampur to hear the ~~appeal of the~~ petitioner on merits and dispose of the same according to law within 60 days from the date of filing of appeal before him by the petitioner. The petitioner is at liberty to file an appeal before the Director, Postal Services within 15 days from to-day and within 60 days therefrom, the appellate authority should dispose of the representation to be filed by the petitioner. Thus the application is accordingly disposed of.

No cost.


MEMBER (ADMINISTRATIVE)

Central Administrative Tribunal
Cuttack Bench, Cuttack
dated the 24.5.1993/ B.K. Sahoo


24.5.93
VICE-CHAIRMAN

