

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Counter not

Filed

Fitter

Register

9-11-2001

Call on 26-11-2001 for

Counter

A  
9-11-2001

REGISTRAR

Counter of filed.

Per order

Nayak

26-11-2001

Sh. JK Nayak, LDA SC  
has filed one MA ad PWD  
for & within time to file  
Court. Head of Time gen<sup>d</sup>  
will 21-12-2001 for last  
date of filing

A  
26/11/01

REGISTRAR

Counter not

Filed

Fitter

Register

20/12

05. 24. 05. 02.

As per request made on behalf of learned Counsel for the petitioners matter is adjourned to 03.07.02.

*Mo*  
Member (S).

ORDER NO.06 DATED: 03.07.2002

Heard Mr. A.K.Nayak, learned Counsel for the Applicant and Mr. J.K.Nayak, learned Additional Standing Counsel appearing for the Respondents.

Applicant, an Extra Departmental Delivery Agent of Postal Department was kept in charge of the Branch Post Office. While discharging the duties of Branch Post Office, there were financial irregularities; for which the Applicant was kept under "put-off" duty. Upon facing the disciplinary proceedings, he faced "removal" from ~~government~~ services from Extra Departmental Postal organisation. As against the punishment of "removal", the Applicant preferred an appeal to the Director of Posts and, on consideration of the said appeal, the appellate authority reduced the punishment to that of "Censure". As a consequence thereof, the Applicant was directed to be reinstated. However, while directing reinstatement, the appellate authority refused to make any arrear payments to the Applicant. In the present Original Application the appellate order in question has been challenged.

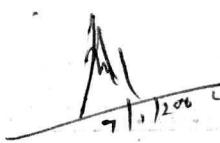
## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

7-1-2002

Sh. J.K. Nayak, Lt ASC  
 filed a petition and pray for  
 4 weeks time to file counter  
 (Head). Time granted as  
 Last chance to file counter

by 28-1-2002



7-1-2002

Counter wif

fil'd

Last chance

over.

8th  
 25/1

Reinstmt

28-1-2002

Lt ASC Sh. JK Nayak  
 filed a petition and pray  
 for 4 weeks time to file  
 (Head). Last  
 counter. Last  
 chance is already availed  
 by him and no further  
 chance can be granted.  
 Accordingly time petition  
 is rejected.

Put up  
 for further  
 before the Bench  
 order.

REGISTRAR

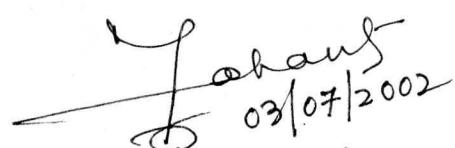
Consider not filed.

Bench

M  
 6/2/02

This Tribunal is not Appellate authority to make a reappraisal of the matter, which has given a rest by the Appellate authority. The Advocate for the Applicant states that in this Original Application, the quantum of punishment (which includes refusal to grant arrear salaries) has, virtually, been challenged. It is the case of the Applicant that while ordering for reinstatement, the appellate authority should not have refused to pay their arrears. While modifying the punishment, the Appellate authority simply asked for reinstatement of the Applicant and did not pass an order directing to treat the Applicant to be continuing in service b all-through and, therefore, the Appellate authority rightly refused to pay any arrears. In this Original Application, the Applicant has pointed out no statutory lapses and, therefore, this Tribunal, not being the Appellate authority, cannot go into any other aspect of the matter to grant any relief to the Applicant. The Appellate authority, having all competence, has redressed the grievances of the Applicant and there remains nothing more, in the present Original Application, to redress the grievances of the Applicant.

In the aforesaid premises, this Original Application, being devoid of merit, is hereby dismissed; but however, there shall be no order as to costs.



03/07/2002

MEMBER (JUDICIAL)