

3

OA No. 357 of 2009

Bansidhar Barik Applicant
Versus
UOI & Ors. Respondents

2. Order dated 27th August, 2009.

C O R A M

THE HON'BLE MR. C.R. MOHAPATRA, MEMBER (ADMN.)

Applicant is a GDSMD of Hindol Sub Post Office. In


a disciplinary proceeding initiated against him under Rule 10 of GDS (Conduct & Employment) Rules, 2001, he was removed from service vide order under Annexure-A/4 dated 29th December, 2006. Appeal preferred by him was also rejected and communicated to the Applicant under Annexure-A/6 dated 28th August, 2007. Thereafter he approached this Tribunal in OA No.03 of 2008 and this Tribunal disposed of the matter on 29.01.2008 granting liberty to the applicant to avail of the opportunity of Revision which had not been availed of by him. After this the applicant preferred revision under Annexure-A/8 & A/9 dated 31.3.2008. Thereafter filed this OA seeking to quash the orders under Annexure-A/4 & A/6 as no decision has been communicated on his revision petition preferred by him till date.

2. Heard the parties at length and perused the materials placed on record. It appears that in spite of passage of five months no decision has been communicated on the Revision Petition preferred by the Applicant. Applicant is out of his job. Though there is no outer time limit of consideration of the revision petition enumerated in any of the rules yet this Tribunal time and again held that any petition filed forming

2

4
subject matter of service grievance of an employee, the same should be considered without any delay. No doubt this is a matter which falls within the purview of the Division Bench to consider. It has been contended by Learned Counsel appearing for the Respondents that as Revision Petition is pending this OA is liable to be dismissed being premature one. Learned Counsel for the Applicant submitted that in that event direction may be issued to the Respondents to take a view on the revision petition of the applicant within a stipulated period as the applicant is out of employment since long. This was not objected to by the Learned Counsel appearing for the Respondents. Considering the submission made by both sides, this OA is disposed of at this admission stage with direction to the Respondents to consider and dispose of the revision petition of the applicant with a reasoned order within a period of 45 days and communicate the result thereof to him.

3. Send copies of this order along with OA to the Respondents.


Member (Admn.)