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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00582 of 2015

Cuttack this the 15th day of September, 2015

CORAM

HON'BLE SHRI A. K. PATNAIK, MEMBER(J)
HON'BLE SHRI R.C. MISRA, MEMBER(A)

Srikan Sethi, aged about 50 years, S/o-Late Subal Sethi, working as Postal Assistant Thermal S.O., At/P.O.-Talcher Thermal, Dist.-Anugul.

...Applicant

By the Advocate(s)- M/s S. Patnaik, B. R. Kar, J. Kar

-VERSUS-

Union of India Represented through

1. Secretay-cum- Director General of Posts, Ministry of Communication, At-Dak Bhawan, Sansad Marg, New Delhi –110001.
2. Chief Postmaster General, Odisha Circle, At/PO-Bhubaneswar, Dist-Khurda
3. Director of Postal Services, Samabhalpur Region, At/P.O./Dist-Sambalpur.
4. The Superintendent of Post Offices, Dhenkanal Division, Dhenkanal At/P.O-Dhenkanal, Dist-Dhenkanal.
5. Postmaster, Head Post Office, Anugul, At/PO/Dist-Anugul, Odisha.

...Respondents

By the Advocate(s)-Mr. C.M. Singh

ORDER(Oral)

A.K. PATNAIK, MEMBER (J):

Heard Mr. S. Patnaik, Learned Counsel appearing for the Applicant and Mr. C.M. Singh, Ld. ACGSC appearing for the Respondent, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The facts of the case are that while the applicant was discharging his duties as Postal Assistant at Talcher Thermal S.O. was issued article of charge *he f* Memo under Rule 16 of C.C.S. (C.C.A.) Rules-1965 vide O.M. dated 31.12.2014.

Talcher

In compliance to Article of Charge Memo applicant filed exhaustive defence statement before the Superintendent of Post Offices (SSPO), Dhenkanal Division who is the Disciplinary Authority. Thereafter, on 25.03.2015 the SSPO after accepting the finding of the Inquiry Officer straight way imposed the order of punishment upon the applicant for recovery of Rs.30,000/- from the salary of the applicant in 10 equal monthly instalments @ Rs.3,000/- per month from the month of March, 2015. Being aggrieved by the said order of punishment passed by the SSPO the applicant has preferred an appeal dated 29.03.2015 (Annexure-A/4) through proper channel before the Director of Postal Services (Respondent No.3). Ld. Counsel for the applicant submitted that in the meanwhile almost more than six months have already elapsed from the date of submission of Appeal but till date no steps have been taken by the Respondent No.3 who is the Appellate Authority for final disposal of the appeal against the order of the punishment. Due to non disposal of the appeal within the period as prescribed in the Circular issued by the Director General of Posts, the applicant has filed the present O.A. with the prayer to direct the Appellate Authority i.e., Respondent No.3 to take prompt ~~and~~ ^{due} steps for finalization of Appeal within stipulated period as granted by the Hon'ble Court in accordance with law.

3. In view of the above, we dispose of this O.A. by directing Respondent No.3 that if the appeal has been preferred by the applicant on 29.03.2015 (Annexure-A/4) and the same is still pending for consideration, Respondent No.3 is hereby directed to consider and dispose of the same as per Rules and communicate the result thereof to the applicant by way of a reasoned order within a period of two months from the date of receipt of copy of this order. However, we have not expressed any opinion on the merit of



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S. Sethi -Vrs- UOI.

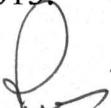
the matter and the points raised by the applicant in his appeal ~~are~~ ^{is} kept open for the authorities to consider the same as per rules, regulations and law in force.

However, ~~if~~, in the meantime, the said appeal has already been disposed of, then the result thereof be communicated to the applicant within a period of four weeks' from the date of receipt of a copy of this order.

4. We make it clear that till 04.01.2016 the status quo of the applicant will be maintained and no further recovery will be made till January, 2016.

5. With the aforesaid observation and direction this O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Patnaik, Ld. Counsel for the applicants, copy of this order, along with paper books, be sent to Respondent No.3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 21.09.2015.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)

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