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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00453/2014

Cuttack this the 11th day of June, 2014

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Hemanta Kumar Das
Aged about 53 years
S/o. late Sibaram Das
Now working as SPM, Hulursingha S.O.
At/PO-Hulursingha
Dist-Angul, Odisha

...Applicant

By the Advocate(s)- Mr.P.K.Padhi

-VERSUS-

Union of India represented through the

1. The Secretary cum Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110 116
2. The Director of Postal Services, Sambalpur Region
At/PO/Dist-Sambalpur
Odisha-768001
3. The Superintendent of Post Offices
Dhenkanal Division
At/PO/Dist-Dhenkanal
Odisha-759 001

...Respondents

By the Advocate(s)-Mr.P.R.J.Dash

ORDER(Oral)

R.C.MISRA, MEMBER(A)

Heard Shri P.K.Padhi, learned counsel for the applicant and Shri P.R.J.Dash,
learned ACGSC on whom a copy of this O.A. has been served, appearing for
Respondents and perused the records.

2. Applicant in this O.A. has come up with a submission that consequent upon
a departmental proceedings under Rule-14 of CCS(CCA) Rules, 1965 initiated



against him, he has been imposed a punishment of reduction by two stages in the P.B. for a period of three years by the Disciplinary Authority. Against this punishment order, he has preferred an appeal to the Respondent No.2, who is the Appellate Authority, on 12.8.2013, which is still pending disposal. Shri P.R.J.Dash, ACGSC submitted that he has no immediate instructions about the pendency of any such appeal with Res.No.2.

3. It is found that in the meantime more than six months' has passed since the filing of the appeal petition. It has been highlighted by the Hon'ble Apex Court in S.S.Rathore vs. State of M.P. reported in 1990 SCC (L&S) 50 that the appeals and representations which are filed under the service rules must be disposed of as expeditiously as possible and ordinarily, a period of three to six months should be the outer limit. In this respect, the relevant portion of the judgment of the Hon'ble Supreme in S.S.Rathore case (supra) is quoted hereunder.

"Redressal of grievances in the hands of the departmental authorities takes an unduly long time. This is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation".

4. I find that the inaction of the Appellate Authority, viz., the Director of Postal Services, Sambalpur Region (Res.No.2) on this appeal petition goes against the spirit of the judgment of the Hon'ble Apex Court. I would, therefore, direct Respondent No.2 to consider and dispose of the appeal preferred by the applicant



as aforesaid and communicate the decision thereon to the applicant within a period of sixty days from the date of receipt of this order.

Ordered accordingly.

5. Learned counsel for the applicant has prayed for ^{yl}stating the operation of the order of punishment issued by the Disciplinary Authority. However, since this matter is pending before the statutory authority, i.e., Appellate Authority, I do not feel inclined to pass any interim order in this matter. However, considering the delay which has already ^{been} caused in disposal of the appeal petition, Respondent No.2 is directed to stick to the time-line which has been outlined in this order.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

7. As agreed to by learned counsel for both the sides, a copy of this order along with paper book be sent to Res.No.2 at the cost of the applicant for which Shri Padhi undertakes to file the postal requisites by 12.6.2014. Free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)