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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

O.A.No. 260/000050 of 2014
Cuttack, this the 10th day of March, 2014

CORAM
THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)
THE HON'BLE MR.R.C.MISRA, MEMBER ADMN.)

.....
Sri Akshay Kumar Jena, aged about 42 years, S/o. Late Gouranga Jena, Ex-GDS BPM of Hantuka BO in account with Basudevpur SO under Puri HO permanent resident of At/Po.Hantuka Via-Basudevpur, PS-Chandanpur, Dist. Puri, Odisha.

.....Applicant

(Legal Practitioner:-M/s.N.R.Routray, T.K.Choudhury)

Versus

1. Union of India represented through Secretary, Ministry of Communication and IT, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-110 0016.
2. Director Postal Service (HQRS), O/O Chief Postmaster General, At/Po.Bhubaneswar, Dist. Khurda-751 001.
3. Senior Superintendent of Post Offices, Puri Division, At/Po.Puri, Dist. Puri-752 001.

.....Respondents

(Legal practitioner:)

O R D E R

A.K.PATNAIK, MEMBER (JUDICIAL):

By filing this OA on 7th January, 2014, the applicant prays to quash the IO report communicated to him vide letter dated 14/29.12.2011, the order of punishment dated 27.07.2012 and to direct the Respondents to reinstate him into service with full back wages. By filing MA No. 20 of 2014 he has prayed to condone the delay in filing belatedly.

2. Perused the records.
3. According to the Applicant he has preferred appeal against the order of punishment dated 27.07.2012 on 01.10.2013 with prayer to condone

A.K.PATNAIK

the delay in preferring the appeal but till date nothing has been communicated to him. No doubt discretion has been vested with the Appellate Authority to condone the delay in preferring the appeal and decide the same on merit. As according to the applicant no decision has been communicated to him till date we see ^{no} justification to entertain this OA at this stage. Hence, keeping open the point of limitation and without expressing any opinion on the merit of the matter, this OA is disposed of, at this admission stage, with direction to Respondent No.2 to consider and dispose of the appeal dated 01.10.2013 of the Applicant (if the same has been received and is still pending) and communicate the result of such consideration to the Applicant in a well reasoned order within a period of 90(ninety) days from the date of receipt of copy of this order. In case no such appeal has been received the same should be intimated to the applicant and/or in case any decision has been taken thereon but result has not been communicated the same be communicated within a period of fifteen days from the date of receipt of this order. There shall be no order as to costs.

4. Registry is directed to communicate copy of this order to Respondent No.2 for compliance. Applicant is free to take back the paper book filed in the Registry so as to send the same along with the copy of the order to the Respondents for compliance.


(R.C.MISRA)
Member (Admn.)


(A.K.PATNAIK)
Member (Judicial)