

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.597/2003.

Monday this the 21st day of July 2003.

CORAM:

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.*SACHIDANANDAN, JUDICIAL MEMBER

T.Radhakrishnan,
Charuvila, Elamba Desom, Attingal,
Trivandrum District.
(Postman (Retired),
Avanavancherry Post Office,
Trivandrum.

Applicant

(By Advocate Shri Dinesh M.)

Vs.

1. Union of India represented by
the Secretary to the Government of India,
Department of Posts,
New Delhi.
2. The Director of Postal Services,
Trivandrum, Southern Region,
Trivandrum.
3. The Superintendent of Post Offices,
North Division, Trivandrum. Respondents

(By Advocate Shri K.Sri Hari Rao, ACGSC)

The application having been heard on 21st July 2003,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

The applicant while working as Postman, Avanavancherry Post Office had been placed under suspension on account of disciplinary proceedings initiated against him on charges of fraudulent delivery of postal articles (Registered letters) addressed to the Headmaster, Government High School, Avanavancherry P.O. on different dates. He challenges A-2 order dated 31.10.2001 whereby ~~his he~~ ~~was~~ ~~was~~ compulsorily retired with immediate effect. Against the impugned order the applicant

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has already filed an Appeal (A3) dated 13.12.2002 to the 2nd respondent which is pending. The acknowledgment corroborating the claim of filing of Appeal before the appropriate authority is furnished as A-4. The applicant seeks the following main relief:

Direct the 2nd respondent to consider and pass appropriate order on Annexure A3 after hearing the Appeal within a time to be fixed by this Hon'ble Tribunal.

2. When the matter came up for consideration for admission, Shri M.Dinesh, learned counsel appeared for the applicant and Shri Sri Hari Rao, learned ACGSC took notice for the respondents. Shri Dinesh, learned counsel for the applicant submitted that, if the 2nd respondent is directed to consider and dispose of the applicant's Appeal(A3) dated 13.12.2002 within a stipulated time, the purpose of the O.A. would be served. Shri Sri K Hari Rao, learned ACGSC, would state in reply that, it was necessary to verify the date of receipt of Appeal Memorandum and to ascertain as to what exactly was the reason for non-disposal of the said Appeal, if any filed by the applicant. However, he does not have any objection in disposing of the O.A with a direction to the 2nd respondent as above.

3. On a consideration of the relevant facts, we deem it appropriate to dispose of the O.A. by directing the 2nd respondent to consider the A-3 Appeal Memorandum which appears to have been received by the office of the 2nd respondent on 18.12.2002 as per A-4 acknowledgment, and to dispose of the same as expeditiously as possible.

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4. Accordingly, we direct the 2nd respondent to consider and dispose of the A-3 Appeal, if not already disposed of, and pass appropriate orders thereon with a copy thereof to the applicant as expeditiously as possible, and, in any case, within a period of three months from the date of receipt of a copy of this order.

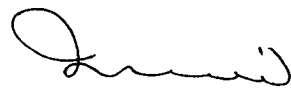
5. The applicant is directed to co-operate with the department in order that the appeal might be disposed of within the permitted time frame.

6. Original Application is disposed of as above. No order as to costs.

Dated the 21st July, 2003.



K.V. SACHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER