

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 79 of 1997

Wednesday, this the 5th day of February, 1997

CORAM

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

1. K P Varghese,
Assistant Postmaster (Accounts),
Ernakulam Head Post Office,
Kochi - 682 011 .. Applicant

By Advocate Mr. Sebastian Paul

Versus

1. Postmaster General,
Northern Region, Kerala Circle,
Calicut - 673 011

2. The Director of Postal Services,
Northern Region, Kerala Circle,
Calicut - 673 011

3. The Senior Superintendent of
Post Offices,
Palakkad - 678 001 .. Respondents

By Advocate Mr. TPM Ibrahim Khan, SCGSC

The application having been heard on 5-2-1997, the
Tribunal on the same day delivered the following:

ORDER

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant, an Assistant Postmaster (Accounts), was
chargesheeted and punished, and against that he approached
this Tribunal in OA No. 433/91. The Tribunal stated that
normally under Section 21 of the Administrative Tribunals
Act an application may be admitted only if the applicant
has exhausted all statutory remedies available to him.

contd...2.

The application had been filed when the appeal filed by him was pending. The Tribunal set aside the impugned orders and permitted the respondents, if they so decide, to initiate de novo disciplinary proceedings against the applicant on the same allegations. Thereafter, de novo proceedings were initiated and by order A-2 dated 13-3-95 it was ordered that the pay of the applicant be reduced to the minimum of the Time Scale with cumulative effect. Applicant appealed against that order and by A-1 order dated 20-12-95 the appellate authority confirmed the penalty. Applicant is now before us praying that orders A-1 and A-2 may be quashed and for a direction to the respondents to pay the applicant all the benefits lost as a result of the punishment.

2. During the hearing, it was submitted that the applicant has still not exhausted all the remedies available to him under the CCS(CCA) Rules, 1965. Learned counsel appearing for the respondents submitted that applicant could submit a revision petition under Rule 29 of the CCS(CCA) Rules, 1965 and if he does so it will be considered.

3. Accordingly, the applicant is permitted to file a revision petition under Rule 29 of CCS(CCA) Rules, 1965 within fifteen days from today. If a revision petition is so filed by the applicant, the revisional authority will treat the revision petition as being within time and pass appropriate orders thereon within two months of the date of receipt of the same.

4. Application is disposed of as aforesaid. No costs.

Dated the 5th of February, 1997

AM SIVADAS
JUDICIAL MEMBER

P. Venkatakrishnan
PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

LIST OF ANNEXURES

1. Annexure A1: True copy of Memo No. Staff/30-IN/1/95 dated 20.12.1995 issued by the first respondent.
2. Annexure A2: True copy of Memo No. Staff/55-16/91 dated 13.3.1995 issued by the second respondent.

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