

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 129 of 2011

Friday, this the 18th day of March, 2011

CORAM:

**Hon'ble Mr. George Paracken, Judicial Member
Hon'ble Ms. K. Noorjehan, Administrative Member**

M.S Rajamohanan Nair
Aged 60 years, S/o P.R Sivasankara Pillai
Retired Postal Assistant
Kottayam Head Office
Residing at Moolayil House
Peroor P.O, Kottayam – 686637

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Applicant

(By Advocate – Mr.T.C Govindaswamy)

V e r s u s

1. Union of India represented by
Secretary to the Government of India
Ministry of Communication
Department of Posts
New Delhi- 110 001
2. The Chief Postmaster General
Kerala Circle, Department of Posts
Thiruvananthapuram
Pin – 695 001
3. The Senior Superintendent of Post Offices
Kottayam Postal Division
Kottayam
4. Union Public Service Commission
Represented by its Secretary
New Delhi – 110 001

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Respondents

(By Advocate – Mr.A.D Raveendra Prasad, ACGSC (R1-3))

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This application having been heard on 18.3.2011, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr.George Paracken, Judicial Member

1. The applicant is a retired Postal Assistant of the Kottayam Postal Division. He is aggrieved by the alleged arbitrariness on the part of the respondents in not finalising the disciplinary proceedings initiated against him just a week before his date of retirement on 31.07.2010.
2. According to the applicant, the enquiry proceedings were over as early as 10.08.2010 and the Inquiry Officer has submitted his report on 14.09.2010. The applicant has also submitted his representation against the Inquiry Report to the Disciplinary Authority. According to him, the respondents are unnecessarily delaying this case and as a result he has not been paid of his DCRG and commutation of pension so far.
3. In the above facts and circumstances, the applicant has filed this Original Application seeking a direction to the respondents to finalise the proceedings initiated in terms of Annexure A1 against him within a time limit.
4. Learned counsel for the respondents submitted that since the proceedings have been initiated under Pension Rules (9) of the CCS CCA 1972, the approval of the Union of India represented by its Secretary to the Government of India, Ministry of Communication, Department of Posts, New Delhi (R1) is to be obtained.

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5. In view of the above, we are disposing this original application with the direction to the first respondent to ensure that the decision in the matter shall be taken within a period of three months from the date of receipt of a copy of this order and communicate this to the applicant. No costs.

(Dated this the 18th day of March, 2011)


(K. NOORJEHAN)
ADMINISTRATIVE OFFICER


(GEORGE PARACKEN)
JUDICIAL MEMBER

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