

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 341 OF 2011

Tuesday, this the 12th day of April, 2011

CORAM:

**HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Mr. K. GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

G. Chacko, GDSBPM (removed from service)
Idakkadom, Kollam, Residing at
Kaleelazhikathu, Thripillazhikom (P.O)
Kuzhimathicaud, Kundara – 691 509. - Applicant

(By Advocate Mr. V. Sajith Kumar)

Versus

- 1 Union of India represented by
The Secretary to the Government
of India, New Delhi – 110 001.
- 2 The Chief Post Master General
Kerala Circle, Trivandrum – 691 101.
- 3 The Director of Postal Service
Southern Region
Kerala Circle, Trivandrum – 695 101
- 4 The Senior Superintendent of Post Office
Kollam Postal Division
Kollam – 691 001. - Respondents

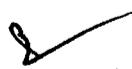
(By Advocate Mr. Pradeep Krishna, ACGSC)

The application having been heard on 12.04.2011, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

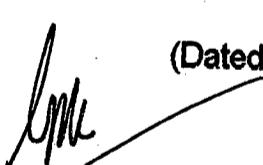
The applicant was working as a Gramin Dak Sevak. He was suspended from service w.e.f. 19.12.2008. Thereafter, he was proceeded against under Rule



12(1)(a) of Department of Posts, GDS (Conduct and Employment) Rules 2001. The proceedings culminated in Annexure A-4 inquiry report holding that the first charge is not proved but the second charge is proved. Considering the enquiry report and the representation of the applicant, the disciplinary authority has disposed the Annexure A-5 order dated 29.3.2010 imposing the punishment of removal from service. Thereafter, he has filed the Annexure A-6 statutory appeal dated 28.04.2010 before the Director of Postal Services, Southern Region, Trivandrum through proper channel. The grievance of the applicant is that in spite of the lapse of over one year, the aforesaid appeal has not been disposed of. He has, therefore, submitted that in view of the fact that he shall be reinstated in service.

- 2 Shri. Thomas Mathew Nellimoottil takes notice on behalf of the respondents.
3. In our considered view, the 3rd respondent ought to have been considered the statutory appeal and dispose of within a reasonable time. In the absence of the statutory orders of the Appellate Authority, it is not proper on our part to adjudicate the issue. Therefore, we direct the 3rd respondent to consider the A-6 appeal and dispose of the same within a period of six weeks from the date of receipt of copy of this order.
4. The O.A is disposed of accordingly. There shall be no order as to costs.

(Dated, the 12th April, 2011.)


K. GEORGE JOSEPH
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

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