

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO; 227 OF 2005

THIS <sup>26<sup>th</sup></sup>

DAY OF MAY 2005.

HON'BLE SHRI S.P. ARYA MEMBER (A)  
HON'BLE SHRI K.B.S. RAJAN MEMBER (J)

Vikaram Verma aged about 45 years s/o Late Shri Kunwar Verma r/o Postal Colony, Lakhimpur Kheri working as Postal assistant Kheri H.O.

Applicant.

By Advocate Shri A. Moin.

Versus

1. Union of India through secretary, Ministry of Post, Dak Bhawan New Delhi.
2. Superintendent of Post Offices, Kheri Division Kheri.

Respondents.

By Advocate Shri S.K. Tewari.

ORDER

BY HON'BLE SHRI S.P. ARYA MEMBER (A)

The applicant by this O.A. seeks for quashing the impugned punishment order dated 28.3.2005 (Annexure -I) passed by respondent No.2 inflicting major punishment of deduction by 10 stages in the pay scale for the period of 3 years with cumulative effect including withholding of increments for the said period. Interim relief has also been prayed for as if the operation of the order impugned is not stayed, he shall suffer irreparable harm and injury.

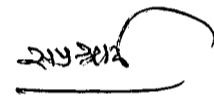
2. We have heard learned counsel for applicant and called from registry the preliminary objection filed by the respondents and perused the pleadings.

3. The applicant has filed an appeal against the order impugned to President of India. The appeal has been filed on 26.4.2005. It has not been responded

to. The applicant should have waited for six months from the date of filing of the appeal as provided under Section 20 of the AT Act, 1985. In case the appeal succeeds and order is set aside, the applicant would be paid the amount admissible to him. Accordingly, we do not find sufficient ground for staying the operation of the order of punishment. However, it is found expedient in the interest of justice to direct the respondent No.1 to decide the appeal as early as possible preferably within 4 months from the date of receipt of this order. With these directions, OA. Is disposed of without any order as to costs.



K.B.S.Rajan)  
Member (J)



(S.P.Arya)  
Member (A)

HLS/-