

Original Application No.529/2004.

Lucknow; this day of 22nd December,2004.

HON'BLE SHRI JUSTICE R.K. BATTA, VICE CHAIRMAN.

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

Ashok Kumar Pandey, aged about 43 years, son of Late Shri Bhagwandeem Pandey, resident of village and post office Muruwa, Police Station Kurwar, Pargana Meeranpur, District Sultanpur.

... Applicant.

By Advocate: Shri Sharad Dwivadi for
Shri D.P. Dwivadi.

Versus.

Union of India, through Director General Post Offices,
New Delhi.

2. Chief Post Master General, Uttar Pradesh Parimandal,
Lucknow.

3. Director, Postal Services, Head Office, Lucknow.

4. Superintendent of Post Offices, Sultanpur Division,
Sultanpur.

5. Sri Ram Prakat Verma, Presently posted as
Superintendent of Post Offices, Sultanpur Division,
Sultanpur.

... Respondents.

By Advocate: Shri S.K. Pandey.

O R D E R (ORAL)

(BY HON'BLE SHRI JUSTICE R.K. BATTA, V.C.).

The main grievance of the Learned Advcate for the applicant, as placed before us, is that the ~~applicant's~~ Appellate Authority has disposed of the

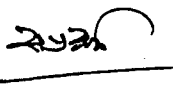
R

...2...

appeal filed by the applicant by a non-speaking order inspite of direction of this Tribunal that the same shall be decided by speaking order. A perusal of the impugned order which is Annexure-9 shows that speaking order has been passed. It is stated that the applicant was infact put back on duty without verification and an enquiry against the applicant is still pending. In view of this, we do not find that the order at Annexure-9 is a non-speaking order.

2. In the facts and circumstances of the case, we deem it necessary to direct the respondents to complete the enquiry which is pending against the applicant within a period of 3 months from the date of receipt of the order. The applicant — shall cooperate in conducting of the enquiry so that the enquiry can be completed within the time frame fixed by the Tribunal. Copy of the order be furnished to both the parties.

3. The O.A. is disposed of in aforesaid terms. The respondents shall file compliance report after three months and the matter be placed on Board for the purposes of compliance of the order. No costs.


(S.P. ARYA)
MEMBER (A)


(R.K. BATTA)
VICE CHAIRMAN.

ak/.