

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 166/2005

This the 20th day of April, 2005

**HON'BLE SHRI S.P. ARYA, MEMBER (A)**  
**HON'BLE SHRI M.L. SAHNI, MEMBER (J)**

J.P. Soni, aged about 49 years son of Sri Mevalal Seth r/o 448/241/1, Bhuiya Devi Lain, Nagari Thakur Ganj, Lucknow-3.

Applicant

By Advocate: Shri Arvind Kumar

Versus

1. Union of India, through Director, Postal Services (Headquarters) Office of C.M., PMG, U.P. Circle, Hazratganj, Lucknow.
2. Chief Post Master General, Postal Service (Headquarters) U.P., Lucknow.
3. Senior Superintendent of Post Offices, Lucknow Division, Lucknow.

Respondents

By Advocate: Shri Narendra Nath for Sri G.K. Singh

**ORDER (ORAL)**

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

Heard,

O.A. in hand has been filed for setting aside the order dated 23.6.2004 dismissing the applicant (Anneuxre -11) on the grounds of arbitrariness, illegality and non sustainability in the eyes of law.

2. Upon hearing the counsel for the parties, it is found that an appeal against the order of disciplinary authority has already been filed on 12.7.2004. The appeal is well within the time. Since the departmental remedy is available which the applicant has availed but in spite of reminders, appeal has not yet been decided. It is found expedient in the interest of justice to direct the Appellate Authority to decide the appeal in accordance with rules within a period of one month and communicate the decision thereon to the applicant. The O.A. is accordingly disposed of with a

direction to Appellate Authority to decide the appeal of the applicant within a period of one month from the date of receipt of copy of this order and also communicate the decision thereon to the applicant. With these directions O.A. is disposed of. No costs.

*M.L. Sahni*

(M.L. Sahni)  
Member (J)

*S.P. Arya*

(S.P. Arya)  
Member (A)

HLS/-