

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO: 318 OF 2005.

THIS, THE 13TH DAY OF JULY, 2005

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

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

Surya Lal Chaudhari, aged about 62 years, Son of Sri Ram Charan Chaudhary, resident of Village Jamo, Post Gaura Jamo, Tehsil Musafirkhana, District Sultanpur.

Applicant

By Advocate: Shri R. Vijay Singh.

VERSUS

1. Union of India ,through Secretary Postal services (H.Q.) department, New Delhi.
2. Chief Post Master General Uttar Pradesh Circle, Lucknow.
3. Director Postal Services (H.Q) Office of Chief Post Master General, U.P. Circle, Lucknow.
4. Superintendent of Post Offices, Sultanpur Division Sultanpur.

Respondents.

By Advocate: Shri Praveen Kumar for Shri Prashant Kumar.

ORDER (ORAL)

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

Heard. This O.A. has been filed for quashing the appellate order dated 18/20.5.2004. The applicant was dismissed by order-dated 2.9.2003 (Annexure No. 4) on the ground of conviction under Prevention of Corruption Act, 1988. The appeal was rejected. The applicant filed an appeal against the order of conviction. No stay has been granted. The applicant has no right to ^{get} re-instated or to hold the post in the light of ratio propounded by Hon'ble Supreme Court *Union of India Versus Ramesh Kumar 1997(7) SCC -514*. The relief accordingly with regards to dismissal

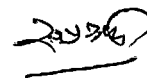
and payment for provisional pension is rejected.

2. The applicant has also sought relief for the payment of salary arrear during the suspension period w.e.f. 2.5.1997 to 21.5.2002. No representation in this regard has been filed by the applicant. The applicant may avail departmental remedies available to him. He can file a representation in this regard to the competent authority who will look into the matter and take a decision on the representation of the applicant in accordance with rules expeditiously preferably within a period of two months.

3. With the above directions, O.A. is disposed of without any order as to costs.


(K.B.S. RAJANN)

MEMBER (J)



(S.P. ARYA)

MEMBER (A)

v.