

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW.

O.A. NO:192/2008

Lucknow this, the 28th day of May 2008.

**Hon'ble Mr. M. Kanthaiah, Member (J)
Hon'ble Mr. Shailendra Pandey, Member (A)**

Nirbhai Singh, aged about 37 years, S/o Sri Ram Avtar, r/o Manhai P.O.- Hafizabad Police Station, Fatehpur Chanauri, District Unnao.

By Advocate: Sri Amit Verma.

Applicant.

Versus

1. Union of India, through the Director Postal Services P.M.G. office Kanpur.
2. The Superintendent of Post Office Kanpur (M), Division Kanpur.

Respondents.

BY Advocate: Sri K.K. Shukla.

Order (Oral)

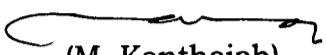
By Hon'ble Mr. M. Kanthaiah, Member (J):

Heard both sides.

2. The applicant has challenging the impugned order covered under Annexure A-1 dated 23.1.2008 passed by the Respondent No. 2 imposing punishment. It is also his case that against such punishment order, he also filed an appeal before the Respondent No. 1 covered under Annexure A-7 dated 3.3.2008 which is pending for consideration.
3. At the stage of hearing of O.A. for admission, the learned counsel for the respondents raised preliminary objection stating that the O.A. is not maintainable as the appeal is still pending and thus opposed.
4. Admittedly, the applicant has preferred an appeal covered under Annexure A-7 dated 3.3.2008 and the same is pending with the respondent No. 1 for consideration and in such circumstances, issuing of any further direction as prayed by the applicant in this O.A. is not at all justified.

5. In view of the above circumstances, the O.A. is disposed of with a direction to the Respondent No. 1 to dispose of the pending appeal of applicant covered under A-7 dated 3.3.2008 as per rules with a reasoned order within a period of 2 months from the date of supply of copy of this order and till then, recovery as ordered under Annexure-1 is stayed. No costs.


(Shailendra Pandey)
Member (A)


(M. Kanthaiah)
Member (J)
28-05-2008

v.